

Title 390 WAC

PUBLIC DISCLOSURE COMMISSION

Chapters

- 390-05** General policies and definitions.
- 390-12** Administrative procedures.
- 390-13** General provisions relating to public records of state and local agencies.
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- 390-16** Forms for campaign financing reporting—Contributions.
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- 390-28** Hardship exemptions—Hearing examiner system.
- 390-32** Fair Campaign Practices Code.
- 390-37** Enforcement procedures—Investigative hearings.

- 390-04-080 filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1). List of elected public officials. [Order 9, § 390-04-080, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-090 List of elected public officials—Responsibility for developing. [Order 9, § 390-04-090, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-100 List of elected public officials—Name not on list, impact. [Order 9, § 390-04-100, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-110 Public Disclosure Act—Violation of other law. [Order 13, § 390-04-110, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-120 Hearing to suspend reporting requirements. [Order 13, § 390-04-120, filed 7/31/73.] Repealed by Order 24, filed 2/21/74.
- 390-04-130 Hearing to suspend reporting requirements—Application for exemption—Hearing. [Order 20, § 390-04-130, filed 10/29/73; Order 13, § 390-04-130, filed 7/31/73.] Repealed by Order 24, filed 2/21/74.

DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE

Chapter 390-04

POLICY AND ENFORCEMENT REGULATIONS

- 390-04-010 Purpose. [Order 9, § 390-04-010, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-020 General administrative policy. [Order 9, § 390-04-020, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-030 Definitions. [Order 9, § 390-04-030, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-031 Definition of term "other expenses." [Order 19, § 390-04-031, filed 10/29/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-035 Definition of direct financial interest. [Order 19, § 390-04-035, filed 10/29/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-036 Definition of debt. [Order 26, § 390-04-036, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-037 Contribution—Defined. [Order 34, § 390-04-037, filed 8/28/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-038 "Aggregate" defined. [Order 61, § 390-04-038, filed 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-040 Use of office facilities. [Order 9, § 390-04-040, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-050 Enforcement policy. [Order 9, § 390-04-050, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-060 Lobbyist's employer—Meaning—Examples. [Order 9, § 390-04-060, filed 4/24/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-070 Effect of Public Disclosure Act—Freedom of communication—Employer interference. [Order 9, § 390-04-070,

- 390-04-140 Public Disclosure Act—Required findings. [Order 13, § 390-04-140, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-150 Public Disclosure Act—Prima facie qualifications. [Order 13, § 390-04-150, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-160 Written sworn statement. [Order 13, § 390-04-160, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-170 Campaign financing—Special reports. [Order 13, § 390-04-170, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-180 Campaign financing—Time for filing. [Order 13, § 390-04-180, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-190 Campaign financing—Encouraging expenditures to avoid contributions—Result. [Order 13, § 390-04-190, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-200 Abbreviated campaign reporting—Campaigns for public office involving \$1,000 or less. [Order 61, § 390-04-200, filed 7/16/75; Order 13, § 390-04-200, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-210 Abbreviated campaign reporting—Ballot propositions. [Order 61, § 390-04-210, filed 7/16/75; Order 13, § 390-04-210, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-215 Abbreviated campaign reporting—Conditions for granting use. [Order 61, § 390-04-215, filed 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-220 Exemptions—Conditions for granting. [Order 13, § 390-04-220, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).

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- 390-04-225 Abbreviated campaign reporting—Times and place for filing reports C-1 and C-4 under \$1,000 exemption. [Order 61, § 390-04-225, filed 7/16/75.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-230 Abbreviated campaign reporting—Exceeding limitations. [Order 61, § 390-04-230, filed 7/16/75; Order 13, § 390-04-230, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-240 Minimum limit on campaign expenditures. [Order 13, § 390-04-240, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-250 Expenditures—Aggregate totals. [Order 13, § 390-04-250, filed 7/31/73.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-260 Lobbyists registration and reporting—Timing. [Order 25, § 390-04-260, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-270 Report of contributions and expenditures—C-4—Reporting requirement. [Order 25, § 390-04-270, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-280 Time of filing F-1—RCW 42.17.240. [Order 26, § 390-04-280, filed 2/21/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).
- 390-04-290 Candidates for public office—Time of filing. [Order 32, § 390-04-290, filed 7/19/74.] Repealed by 78-09-076 (Order 101), filed 8/28/78. Statutory Authority: RCW 42.17.370(1).

**Chapter 390-36
COMPLIANCE HEARING PROCEDURES**

- 390-36-010 Compliance hearings—Findings of fact, alleged violations, public disclosure commission policy. [Order 62, § 390-36-010, filed 8/26/75; Order 58, § 390-36-010, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-020 Compliance hearings policy. [Order 62, § 390-36-020, filed 8/26/75; Order 58, § 390-36-020, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-024 Definition—Compliance hearing officer. [Order 67, § 390-36-024, filed 1/16/76.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-030 Compliance hearings—Invitation to appear, representative notice. [Order 62, § 390-36-030, filed 8/26/75; Order 58, § 390-36-030, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-040 Compliance hearings—Alleged violations—Subpoenas. [Order 62, § 390-36-040, filed 8/26/75; Order 58, § 390-36-040, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-050 Compliance hearings—Procedures. [Order 62, § 390-36-050, filed 8/26/75; Order 58, § 390-36-050, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-055 Compliance hearings—Hearing officer. [Order 67, § 390-36-055, filed 1/16/76.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-060 Compliance hearings—Continuances. [Order 62, § 390-36-060, filed 8/26/75; Order 58, § 390-36-060, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.
- 390-36-070 Compliance hearings—Disposition—Findings. [Order 62, § 390-36-070, filed 8/26/75; Order 58, § 390-36-070, filed 7/16/75.] Repealed by Order 81, filed 7/22/76 and by Order 84, filed 8/18/76.

Chapter 390-05 WAC

GENERAL POLICIES AND DEFINITIONS

WAC

- 390-05-010 Purpose.
- 390-05-020 General administrative policy.
- 390-05-040 Public Disclosure Act—Violation of other law.
- 390-05-050 Commission status under SEPA.
- 390-05-200 Definition—Candidates for public office—Time of filing.
- 390-05-205 Definition of term "consumable."
- 390-05-210 Definition—Contribution.
- 390-05-215 Receipt of a campaign contribution.
- 390-05-220 Definition—Consideration.
- 390-05-235 Definition—Fair market value.
- 390-05-250 Definition—Public disclosure commission.
- 390-05-271 General applications of RCW 42.17.130.
- 390-05-273 Definition of normal and regular conduct.
- 390-05-290 Definition—Political advertising.
- 390-05-300 Suspension of reporting requirements.
- 390-05-305 Petition for disclosure—Form.

**DISPOSITION OF SECTIONS FORMERLY
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- 390-05-030 Enforcement policy. [Order 62, § 390-05-030, filed 8/26/75.] Repealed by Order 72, filed 4/26/76.
- 390-05-230 Definition—Elected official. [Order 62, § 390-05-230, filed 8/26/75.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
- 390-05-240 Definition—Person. [Order 62, § 390-05-240, filed 8/26/75.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
- 390-05-260 Definition—Public record. [Order 62, § 390-05-260, filed 8/26/75.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
- 390-05-270 Definition—Use of facilities. [Order 62, § 390-05-270, filed 8/26/75.] Repealed by 79-02-056 (Order 79-01), filed 1/31/79. Statutory Authority: RCW 42.17.370(1).
- 390-05-280 Definition—Writing. [Order 62, § 390-05-280, filed 8/26/75.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).

WAC 390-05-010 Purpose. The purpose of these regulations is to implement the provisions of chapter 42.17 RCW (Initiative 276), hereinafter referred to as the Public Disclosure Act or act, by declaring the policies of the commission, particularly with regard to the interpretation and enforcement of the act by the commission.

[Order 62, § 390-05-010, filed 8/26/75.]

WAC 390-05-020 General administrative policy. Whereas the Public Disclosure Act was adopted by the people for the general betterment of local and state government, it shall be the policy of the public disclosure commission to carry out and effectuate that policy to the full extent of its delegated powers, through efficient administration, appropriate regulations and rulings, and through strict, vigorous, uniform and fair enforcement of the provisions of the act.

[Order 62, § 390-05-020, filed 8/26/75.]

WAC 390-05-040 Public Disclosure Act—Violation of other law. No provision of chapter 42.17 RCW (Initiative 276) shall be construed in such a manner as to require any person to act or refrain from acting where such action or

nonaction would violate any provision of the state or federal constitution or any federal law.

[Order 62, § 390-05-040, filed 8/26/75.]

WAC 390-05-050 Commission status under SEPA.

(1) The public disclosure commission recognizes its responsibilities under RCW 43.21C.120 to adopt rules pertaining to the State Environmental Policy Act (SEPA) as that act relates to activities under the commission's jurisdiction. The commission has reviewed SEPA and its own programs and concludes that all actions which the commission is authorized to undertake are exempt by virtue of WAC 197-10-040(2), 197-10-150 through 197-10-190. The commission, as an administrative agency, has statutory authority for information gathering, recordkeeping, and investigative and hearing procedures with respect to elected officials, candidates, political committees, and persons and entities involved in lobbying activities. None of these activities are potentially subject to the environmental impact statement requirements of RCW 43.21C.030.

(2) In accordance with WAC 197-10-800(4), the commission adopts this statement in compliance with the requirements of chapter 43.21C RCW.

[Order 77, § 390-05-050, filed 6/2/76.]

WAC 390-05-200 Definition—Candidates for public office—Time of filing. The following circumstances shall give rise to presumption that an individual is a "candidate" as that term is defined in RCW 42.17.020(5):

(1) The existence of a political committee promoting the election of such individual for public office with the knowledge and consent of that individual; or,

(2) A public declaration of candidacy by an individual even if the candidacy is conditioned on a future occurrence.

[Statutory Authority: RCW 42.17.370(1), 85-15-020 (Order 85-03), § 390-05-200, filed 7/9/85; Order 62, § 390-05-200, filed 8/26/75.]

WAC 390-05-205 Definition of term "consumable." For the purpose of RCW 42.17.020(10) the term "consumables" includes the amount paid for food, beverages, preparation or catering, entertainment cost or fair market value of items sold, raffled, or given as prizes.

[Statutory Authority: RCW 42.17.370(1), 85-15-020 (Order 85-03), § 390-05-205, filed 7/9/85; Order 63, § 390-05-205, filed 9/10/75.]

WAC 390-05-210 Definition—Contribution. (1) The term "contribution" as defined in RCW 42.17.020(10) shall be deemed to include, among other things, furnishing services or property or rights on a discriminatory basis or at less than their fair market value as defined in WAC 390-05-235, for the purpose of assisting any candidate or political committee. When such in-kind contribution of goods or services is provided, it shall be reported at its fair market value, per WAC 390-05-235.

(2) The following activities are not considered to be contributions or independent campaign expenditures reportable under RCW 42.17.090 or 42.17.100:

(a) News, feature, or editorial comment in a broadcast media program or in a regularly scheduled issue of a printed periodical (including periodicals published by businesses and

organizations for their respective employees or members) to communicate ratings, evaluations, endorsements, or recommendations for or against a candidate or ballot proposition;

(b) Internal political communications from a corporation or similar enterprise to its officers, management staff, and stockholders or from a union, association, or other membership organization to its members;

(c) Messages in the form of reader boards, banners, yard, or window signs displayed on a person's own property or property occupied by the organization, business, or union: *Provided*, That any person, space, or property used for such political advertising for which a rental charge is normally made shall be reported as an in-kind contribution.

[Statutory Authority: RCW 42.17.370, 91-14-041, § 390-05-210, filed 6/27/91, effective 7/28/91. Statutory Authority: RCW 42.17.370(1), 88-14-064 (Order 88-02), § 390-05-210, filed 7/1/88; 85-15-020 (Order 85-03), § 390-05-210, filed 7/9/85; Order 62, § 390-05-210, filed 8/26/75.]

WAC 390-05-215 Receipt of a campaign contribution. "Receipt" of a campaign contribution, as that term is used in chapter 42.17 RCW, shall be deemed to occur at the earliest of the following:

(1) The date that the candidate, treasurer, deputy treasurer, campaign manager, campaign chairperson or similarly situated campaign official obtains possession of the contribution, or

(2) The date that the candidate, treasurer, deputy treasurer, campaign manager, campaign chairperson or similarly situated campaign official is informed of the contribution, or becomes aware that the campaign, or in the case of an earmarked contribution, the intermediary, has possession of the contribution, or

(3) The date that the contribution becomes available for use by the candidate or committee.

[Statutory Authority: RCW 42.17.370, 92-05-081, § 390-05-215, filed 2/18/92, effective 3/20/92.]

WAC 390-05-220 Definition—Consideration. The term "consideration" as used in the act and in these rules shall be deemed to include anything of value promised or paid or transferred in return for a person's property or services rendered or to be rendered, including but not limited to reimbursement for traveling or other expenses.

[Statutory Authority: RCW 42.17.370(1), 85-15-020 (Order 85-03), § 390-05-220, filed 7/9/85; Order 62, § 390-05-220, filed 8/26/75.]

WAC 390-05-235 Definition—Fair market value. "Fair market value" or "value" when used in the act or regulation is the amount in cash which a well-informed buyer or lessee, willing but not obligated to buy or lease that property, would pay, and which a well-informed seller, or lessor, willing but not obligated to sell or lease it, would accept, taking into consideration all uses to which the property is adapted and might in reason be applied.

[Statutory Authority: RCW 42.17.370(1), 79-08-046 (Order 79-03), § 390-05-235, filed 7/19/79.]

WAC 390-05-250 Definition—Public disclosure commission. The "public disclosure commission" is the commission appointed by the governor pursuant to RCW

42.17.350. The public disclosure commission shall hereinafter be referred to as the commission.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-05-250, filed 7/9/85; Order 62, § 390-05-250, filed 8/26/75.]

WAC 390-05-271 General applications of RCW 42.17.130. (1) RCW 42.17.130 does not restrict the right of any individual to express his or her own personal views concerning, supporting, or opposing any candidate or ballot proposition, if such expression does not involve a use of the facilities of a public office or agency.

(2) RCW 42.17.130 does not prevent a public office or agency from (a) making facilities available on a nondiscriminatory, equal access basis for political uses or (b) making an objective and fair presentation of facts relevant to a ballot proposition, if such action is part of the normal and regular conduct of the office or agency.

[Statutory Authority: RCW 42.17.370(1). 80-02-055 (Order 80-01), § 390-05-271, filed 1/17/80; 79-02-056 (Order 79-01), § 390-05-271, filed 1/31/79.]

WAC 390-05-273 Definition of normal and regular conduct. Normal and regular conduct of a public office or agency, as that term is used in the proviso to RCW 42.17.130, means conduct which is (1) lawful, i.e., specifically authorized, either expressly or by necessary implication, in an appropriate enactment, and (2) usual, i.e., not effected or authorized in or by some extraordinary means or manner. No local office or agency may authorize a use of public facilities for the purpose of assisting a candidate's campaign or promoting or opposing a ballot proposition, in the absence of a constitutional, charter, or statutory provision separately authorizing such use.

[Statutory Authority: RCW 42.17.370(1). 79-02-056 (Order 79-01), § 390-05-273, filed 1/31/79.]

WAC 390-05-290 Definition—Political advertising. Political advertising does not include letters to the editor, news or feature articles, editorial comment or replies thereto in a regularly published newspaper, periodical, or on a radio or television broadcast where payment for the printed space or broadcast time is not normally required.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-05-290, filed 7/9/85.]

WAC 390-05-300 Suspension of reporting requirements. From the effective date of RCW 42.17.405, the following reporting requirements are suspended in jurisdictions with less than one thousand registered voters as of the date of the most recent general election in the jurisdiction:

(1) The F-1 financial reports of public officials required by RCW 42.17.240 and WAC 390-24-010, 390-24-020 and 390-24-025;

(2) The L-5 public agency lobbying report required by RCW 42.17.190 and WAC 390-20-120;

(3) The C-1 through C-4 campaign finance reports required for ballot issues by RCW 42.17.040 through 42.17.090 and WAC 390-16-011, 390-16-031, 390-16-036, 390-16-041, and independent campaign expenditure reports (C-6) required for ballot issues by RCW 42.17.100 and WAC 390-16-050: *Provided*, That reporting requirements

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shall be reinstated by order of the commission at its next regular or special meeting if:

(a) A certified "petition for disclosure" containing the valid signatures of fifteen percent of the number of registered voters of the jurisdiction as of the date of the most recent general election in the jurisdiction is filed with the commission; or

(b) The jurisdiction has by ordinance, resolution or other official action petitioned the commission to void the suspension with respect to elected officials, candidates and ballot propositions for the jurisdiction.

If reporting requirements are reinstated by petition, the commission shall promptly notify all known affected candidates and incumbent elected officials of their duty to file disclosure reports. Such individuals and committees shall be ordered to file the required statements within thirty days of the commission order.

[Statutory Authority: RCW 42.17.370. 92-05-080, § 390-05-300, filed 2/18/92, effective 3/20/92. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-05-300, filed 7/9/85; 82-16-032 (Order 82-05), § 390-05-300, filed 7/28/82.]

WAC 390-05-305 Petition for disclosure—Form.

(1) A petition for disclosure shall be legible, on 8-1/2 x 11" paper and shall include the following information:

(a) The name of the jurisdiction;

(b) A request that public disclosure be required;

(c) The names and addresses of all known candidates and ballot proposition committees in the jurisdiction who will be required to report;

(d) The legibly printed name and address and the legal signature of at least fifteen percent of the number of registered voters in the jurisdiction as of the date of the most recent general election in the jurisdiction.

(2) The petition shall be verified and certified by the auditor or elections officer of the county or counties in which the jurisdiction is located. The signatures shall be verified by comparing the signatures on the petition to the signatures on the voter registration roll. The auditor shall place his seal on each verified page of the petition in order to certify it to the commission.

(3) A suggested form for petition is:

"We, the undersigned citizens and registered voters of (name of jurisdiction), request that the Public Disclosure Commission order disclosure in (name of jurisdiction)."

(4) A suggested form for the petition of a jurisdiction by ordinance, resolution or other official action is:

"We, the (governing board) of (name of jurisdiction) request that the Public Disclosure Commission order disclosure in (name of jurisdiction). This request is made pursuant to RCW 42.17.405 and WAC 390-05-305(4)."

[Statutory Authority: RCW 42.17.370. 92-05-080, § 390-05-305, filed 2/18/92, effective 3/20/92. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-05-305, filed 7/9/85; 82-16-032 (Order 82-05), § 390-05-305, filed 7/28/82.]

Chapter 390-12 WAC
ADMINISTRATIVE PROCEDURES

WAC

390-12-010	Public disclosure commission—Regular meetings.
390-12-040	Public disclosure commission—Description of central and field organization.
390-12-050	Operations and procedures.
390-12-170	Public disclosure commission—Organization and structure—Officers—Terms.
390-12-190	Public disclosure commission—Elections—Vacancies.
390-12-200	Public disclosure commission—Executive director.
390-12-250	Declaratory order—Petition requisites—Consideration—Disposition.
390-12-255	Petitions for rule making, amendment or repeal—Form—Consideration—Disposition.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

390-12-020	Purpose. [Order 9, § 390-12-020, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-030	Definitions. [Order 9, § 390-12-030, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-060	Public records available. [Order 9, § 390-12-060, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-070	Public records officer. [Order 9, § 390-12-070, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-080	Office hours. [Order 9, § 390-12-080, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-090	Requests for public records. [Order 9, § 390-12-090, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-100	Copying. [Order 9, § 390-12-100, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-110	Exemptions. [Order 9, § 390-12-110, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-120	Review of denials of public records requests. [Order 9, § 390-12-120, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-140	Records index. [Order 9, § 390-12-140, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-150	Public disclosure commission—Communications. [Order 62, § 390-12-150, filed 8/26/75; Order 42, § 390-12-150, filed 9/26/74; Order 9, § 390-12-150, filed 4/24/73.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
390-12-160	Adoption of form. [Order 9, § 390-12-160 and Form, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-12-180	Public disclosure commission—Duties of officers. [Order 62, § 390-12-180, filed 8/26/75; Order 14, § 390-12-180, filed 7/31/73.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
390-12-210	Public disclosure law—Duties of other agencies. [Order 62, § 390-12-210, filed 8/26/75; Order 14, § 390-12-210, filed 7/31/73.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).

WAC 390-12-010 Public disclosure commission—Regular meetings. Pursuant to RCW 42.30.075, regular meetings of the public disclosure commission shall be held on the fourth Tuesday of each calendar month at 9:00 a.m. except November and December when they shall be held on

the third Tuesday. The meetings shall be held in the Second Floor Conference Room, Evergreen Plaza Building, 711 Capitol Way, Olympia, Washington, unless circumstances require relocating to another site. If relocating is required, the meeting shall be held at a place designated by the chairman of the commission.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-010, filed 7/9/85; 82-05-001 (Order 82-01), § 390-12-010, filed 2/4/82; 80-06-119 (Order 80-06), § 390-12-010, filed 5/30/80; 79-10-070 (Order 79-06), § 390-12-010, filed 9/19/79; Order 62, § 390-12-010, filed 8/26/75; Order 14, § 390-12-010, filed 7/31/73.]

WAC 390-12-040 Public disclosure commission—Description of central and field organization. (1) The public disclosure commission is a five member commission appointed by the governor with the consent of the senate. The commission is assisted by a staff consisting of an executive director and such other employees as are necessary.

(2) The administrative office of the commission is located at Public Disclosure Commission, Room 403, Evergreen Plaza Building, Olympia, Washington.

(3) Mailings to the commission should be addressed as follows: Public Disclosure Commission, 711 Capitol Way, Rm 403, PO Box 40908, Olympia, WA 98504-0908.

[Statutory Authority: RCW 42.17.370. 91-24-011, § 390-12-040, filed 11/22/91, effective 12/23/91. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-040, filed 7/9/85; Order 62, § 390-12-040, filed 8/26/75; Order 42, § 390-12-040, filed 9/26/74; Order 9, § 390-12-040, filed 4/24/73.]

WAC 390-12-050 Operations and procedures. (1) The public disclosure commission was created by the passage of Initiative 276 in 1972 for the principal purpose of providing the public with accurate information about certain financial affairs of candidates and elected officials, about the financing of election campaigns and the sponsors of political advertising, and about expenditures made in the course of lobbying. The initiative also contains provisions guaranteeing citizen access to most records of most elements of state and local government.

(2) The duties, responsibilities and powers of the commission are set forth in RCW 42.17.360, 42.17.370, 42.17.395 and 42.17.397. Provisions for establishing the commission and appointing the members thereof are stated in RCW 42.17.350.

(3) Commissioners meet monthly to consider and act on major policy matters, on requests for reporting modifications and on enforcement cases. All meetings are conducted in accordance with the Open Public Meetings Act (chapter 42.30 RCW) and the Administrative Procedure Act (chapter 34.05 RCW), and Sturgis Standard Code of Parliamentary Procedure. The passage of any motion adopting, amending or repealing any rule, or recommending changes to the act shall require a majority vote of the members of the commission as distinguished from a quorum of the commissioners.

(4) The staff prepares and distributes reporting forms and instructions in the most practical manner to persons subject to the law. The instructions are intended to satisfy the requirement of RCW 42.17.360 to publish bookkeeping manuals. The staff also provides personal instruction and

technical assistance to persons with specific problems and questions.

(5) Between 45,000 and 55,000 reports are received during a calendar year from an average of 9,500 reporting "clients." The staff receives these reports, records their receipt, and microfilms and files them. Every effort is made to have reports filmed and available for public inspection and copying within twenty-four hours of their receipt.

(6) Procedures for accessing the files of the agency are given in chapter 390-14 WAC. The staff will provide microfiche copies of reports when requested by mail or telephone. Reports are generally sent the same day the request is received. Answers to telephone inquiries seeking information from particular reports will be limited to (a) verification that a report is on file and (b), if regarding a campaign financing report, the most recent totals for contributions and expenditures.

(7) While some citizens will benefit from the reports by personally reviewing them, most will look to the news media for information. The staff compiles occasional summaries and studies for distribution to news outlets. Known as "Reports to the Public," they provide a condensed mirror image of the information in reports filed with the commission.

(8) The act demands complete, accurate and timely reporting. The commission, as a vehicle of communication between those engaged in political life and the general public, is expected to take whatever actions are necessary to assure the public of having the information it is entitled to; that the flow of communication is not interrupted by those responsible for providing the information. Within the resources provided the commission, reports are reviewed, field audits are conducted and complaints are investigated. The staff concentrates on assisting people in meeting their obligations under the law in hopes of fulfilling the purpose of the act without having to resort to enforcement actions resulting in embarrassment and monetary penalties. Gross negligence and evasions of the act will not be tolerated, however. Acting without fear or favor, the staff will bring to the commissioners for appropriate action all matters where there is evidence of a material violation of chapter 42.17 RCW and/or lack of substantial compliance.

[Statutory Authority: RCW 42.17.370. 90-16-083, § 390-12-050, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-050, filed 7/9/85; 79-10-017 (Order 79-05), § 390-12-050, filed 9/7/79.]

WAC 390-12-170 Public disclosure commission—Organization and structure—Officers—Terms. The officers of the public disclosure commission for administrative purposes shall be chairman, vice chairman and secretary. Their terms shall be one year or until a successor is elected.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-170, filed 7/9/85; Order 62, § 390-12-170, filed 8/26/75; Order 14, § 390-12-170, filed 7/31/73.]

WAC 390-12-190 Public disclosure commission—Elections—Vacancies. Elections to fill commission offices shall be held annually at the regular June meeting of the commission, or at a special election called for that purpose between May 1 and June 30 of the calendar year in which the new terms will commence. Vacancies in said offices

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may be filled by a vote of the commission at any regular meeting or any special meeting called for that purpose.

[Order 62, § 390-12-190, filed 8/26/75; Order 14, § 390-12-190, filed 7/31/73.]

WAC 390-12-200 Public disclosure commission—Executive director. The commission shall employ and fix the compensation of an executive director who shall perform the following duties under the general authority and supervision of the commission:

(1) Act as records officer and administrative arm of the commission.

(2) Coordinate the policies of the commission and the activities of all commission employees and other persons who perform ministerial functions for the commission.

(3) Act as liaison between the commission and other public agencies.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-200, filed 7/9/85; Order 62, § 390-12-200, filed 8/26/75; Order 14, § 390-12-200, filed 7/31/73.]

WAC 390-12-250 Declaratory order—Petition requisites—Consideration—Disposition. (1) Any person may submit a petition for a declaratory order pursuant to RCW 34.05.240 in any form so long as it

(a) Clearly states the question the declaratory order is to answer, and

(b) Provides a statement of the facts which raise the question.

(2) The executive director may conduct an independent investigation in order to fully develop the relevant facts.

(3) The executive director will present the petition to the commission at the first meeting when it is practical to do so and will provide the petitioner with at least five days notice of the time and place of such meeting. Such notice may be waived by the petitioner.

(4) The petitioner may present additional material and/or argument at any time prior to the issuance of the declaratory order.

(5) The commission may issue either a binding or a nonbinding order or decline to issue any order.

(6) The commission may decide that a public hearing would assist its deliberations and decisions. If such a hearing is ordered, it will be placed on the agenda of a meeting and at least five days notice of such meeting shall be provided to the petitioner.

(7) If an order is to be issued, the petitioner shall be provided a copy of the proposed order and invited to comment.

(8) The declaratory order cannot be a substitute for a compliance action and is intended to be prospective in effect.

(9) The commission will decline to consider a petition for a declaratory or to issue an order when (a) the petition requests advice regarding a factual situation which has actually taken place, or (b) when a pending investigation or compliance action involves a similar factual situation.

[Statutory Authority: RCW 42.17.370. 90-16-083, § 390-12-250, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-12-250, filed 7/9/85; 81-18-043 (Order 81-03), § 390-12-250, filed 8/28/81.]

WAC 390-12-255 Petitions for rule making, amendment or repeal—Form—Consideration—Disposition. (1) Any person may submit a petition requesting the promulgation, amendment or repeal of any rule by the commission pursuant to RCW 34.05.330.

(2) The petition for rule making should contain a draft of any proposed rule and any argument in favor of its adoption, but no particular form is necessary.

(3) The commission will consider the petition at its next regular meeting after its submission. The petitioner shall be given notice of the time of that meeting.

(4) Within 60 days after its submission, the commission shall advise the petitioner that the petition has been denied, giving its reasons in detail, or initiate rule making proceedings under RCW 34.05.330.

[Statutory Authority: RCW 42.17.370, 90-16-083, § 390-12-255, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1), 81-18-043 (Order 81-03), § 390-12-255, filed 8/28/81.]

Chapter 390-13 WAC
GENERAL PROVISIONS RELATING TO PUBLIC RECORDS OF STATE AND LOCAL AGENCIES

WAC

- 390-13-010 Optional format for requests for lists of individuals.
390-13-100 Duties of elections officials receiving copies of campaign finance reports.

WAC 390-13-010 Optional format for requests for lists of individuals. The use of a list of individuals obtained from an agency for commercial purposes is prohibited by RCW 42.17.260(5). The commission finds that the term "commercial purposes" has been interpreted by different agencies in inconsistent ways resulting in confusion and a lack of uniform administration of that statute. Therefore, the following format is adopted by the commission and authorized for use by agencies, at their option, to bring uniformity to the administration of that statute.

(Name of Agency) PUBLIC RECORDS ACCESS

STATE OF WASHINGTON } AFFIDAVIT TO
COUNTY OF } SS. RELEASE PUBLIC RECORDS

(Name and Address)

having been duly sworn, deposes and says:

- 1. I have requested copies of the following public records:
2. I understand that Washington state law, RCW 42.17.260(5), prohibits the use of lists of individuals for commercial purposes.
3. I understand that the use for commercial purposes of said records may also violate the rights of the individuals named therein and may subject me to liability for such commercial use.
4. I understand that section 2 and 3 herein apply when I use said records for commercial purposes and when others use said records or copies of same for commercial purposes. I understand that I may be liable in either case.

5. I understand that "commercial purposes" means that the person requesting the record intends that the list will be used to communicate with the individuals named in the record for the purpose of facilitating profit expecting activity.

6. Therefore, I do hereby swear and affirm on oath and under penalty of law that I will not use said records for commercial purposes and that further, it is my affirmative duty to prevent others from using said records for commercial purposes.

7. I do further swear and affirm on oath and under penalty of law that I will protect and hold harmless, including the cost of defending, the agency and its agents and employees from which I have obtained said records from any and all claims arising either directly or indirectly from the commercial use of said records.

Signature

SUBSCRIBED AND SWORN to before me this day of, 19. . .

Notary Public in and for the state of Washington residing

[Statutory Authority: RCW 42.17.370(1), 83-11-004 (Order 83-01), § 390-13-010, filed 5/6/83.]

WAC 390-13-100 Duties of elections officials receiving copies of campaign finance reports. (1) Pursuant to RCW 42.17.375, when arranging, indexing, handling and providing access to reports filed with the county as required by chapter 42.17 RCW, county election officers shall adhere to the following:

(a) Each report on receipt shall be marked with the date (or some means of determining the date) the report was postmarked and/or the date on which it was received by the elections office.

(b) Files for these reports shall be maintained separate from all other reports and documents in the office and shall be arranged alphabetically by the name of the candidate or committee. Elections officers may segregate files into additional categories, if desired.

(c) Files may be maintained in paper form or on micrographics. If files are maintained on micrographics, equipment for viewing film and for reproducing individual frames on paper must be made available to the public.

(d) A separate, special index shall be maintained showing the name of each candidate or committee for whom reports are on file. The index need not list each report subsequently filed. The index shall be readily available for public inspection.

(e) Reports shall be placed in the files and available for public inspection by the end of the next business day following receipt.

(f) Mindful that the public's right to know of the financing of political campaigns is paramount, elections officials shall give priority [attention] to and promptly honor each request for public inspection of the campaign finance report files.

(2) Copies of reports must be maintained by elections officers for a period of at least six years, in accordance with RCW 42.17.450, and records retention schedules prepared pursuant to chapter 40.14 RCW.

(3) A description of the county's method of filing and indexing campaign finance reports shall be sent to the public disclosure commission within 30 days of the effective date of this rule. The description shall be updated any time there is a revision to the filing and indexing system.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-13-100, filed 7/9/85; 83-17-138 (Order 83-02), § 390-13-100, filed 8/24/83.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 390-14 WAC

ACCESS TO PUBLIC RECORDS OF THE PUBLIC DISCLOSURE COMMISSION

WAC

390-14-015	Public records officer.
390-14-020	Hours for records inspection and copying.
390-14-025	Requests for public records.
390-14-030	Copying of public records.
390-14-035	Exempting records from public inspection.
390-14-040	Review of denials of public records requests.
390-14-045	Records index.
390-14-055	Record request form.
390-14-100	List of elected public officials.
390-14-105	List of elected public officials—Responsibility for developing.
390-14-110	List of elected public officials—Name not on list, impact.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-14-010	Public records available. [Order 62, § 390-14-010, filed 8/26/75.] Repealed by 85-15-020 (Order 85-03), filed 7/9/85. Statutory Authority: RCW 42.17.370(1).
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WAC 390-14-015 Public records officer. The commission's public records officer, who is located in the administrative office of the commission is responsible for implementing the commission's rules and regulations regarding release of public records, coordinating the staff of the commission in this regard, and insuring compliance by the staff with the public records disclosure requirements of chapter 42.17 RCW.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-015, filed 7/9/85; Order 62, § 390-14-015, filed 8/26/75.]

WAC 390-14-020 Hours for records inspection and copying. Public records shall be available for inspection and copying during the customary office hours of the commission.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-020, filed 7/9/85; Order 62, § 390-14-020, filed 8/26/75.]

WAC 390-14-025 Requests for public records. (1) In accordance with requirements of chapter 42.17 RCW that agencies [present] [prevent] unreasonable invasions of

privacy, protect public records from damage or disorganization, and prevent excessive interference with essential functions of the agency, public records may be inspected or copied by requesting in person, by letter, or by telephone the desired record(s).

(2) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made to assist the member of the public in appropriately identifying the public record requested.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-025, filed 7/9/85; Order 64, § 390-14-025, filed 11/25/75; Order 62, § 390-14-025, filed 8/26/75.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-14-030 Copying of public records. No fee shall be charged for the inspection of public records. The commission shall charge a fee of ten cents per page of copy for providing copies of public records maintained on paper. A fee of twenty-five cents per film shall be charged for copies of microfiche. These charges are the amounts necessary to reimburse the commission for its actual costs incident to such copying including the use of the commission's copy equipment. Charges will not be assessed if the total cost involved in a particular request is less than one dollar.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-030, filed 7/9/85; 82-18-031 (Order 82-06), § 390-14-030, filed 8/25/82; 82-05-001 (Order 82-01), § 390-14-030, filed 2/4/82; Order 62, § 390-14-030, filed 8/26/75.]

WAC 390-14-035 Exempting records from public inspection. (1) The public records officer shall delete information the disclosure of which would violate personal privacy or endanger vital government interests from any record prior to permitting public inspection or copying. After such data is deleted, the remainder of the record shall be made available.

(2) All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-035, filed 7/9/85; Order 62, § 390-14-035, filed 8/26/75.]

WAC 390-14-040 Review of denials of public records requests. (1) Any person who objects to the denial of a request for a public record may petition for prompt review of such decision by tendering a written request for review. The written request shall specifically refer to the written statement by the public records officer or other staff member which constituted or accompanied the denial.

(2) Immediately after receiving a written request for review of a decision denying a public record, the public records officer or other staff member denying the request shall refer it to the chairman of the commission. The

chairman shall immediately consider the matter and either affirm or reverse such denial or call a special meeting of the commission as soon as legally possible to review the denial. In any case, the request shall be returned with a final decision within two business days following the original denial.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-040, filed 7/9/85; Order 62, § 390-14-040, filed 8/26/75.]

WAC 390-14-045 Records index. (1) The commission has established and implemented a system of indexing for the identification and location of the following records:

(a) All records issued before July 1, 1990, for which the commission has maintained an index.

(b) Final adjudicative orders and declaratory orders issued after June 30, 1990, that contain an analysis or decision of substantial importance to the commission in carrying out its duties.

(c) Interpretive and policy statements that were entered after June 30, 1990.

(2) Final and declaratory orders shall be evaluated by the executive director or executive director's designee. Those orders which are determined to have substantial importance shall be included in the index.

(3) Final orders shall be indexed by the name of the person against whom the order was issued, and by citation to the law involved.

(4) Declaratory orders shall be indexed by subject matter, phrase describing the issue or holding, or by a citation to the law involved.

(5) Interpretive statements and policy statements shall be indexed by subject matter, topic, calendar year, or a combination of these, as appropriate.

(6) The index is available for public inspection and copying during regular business hours at the Public Disclosure Commission, 403 Evergreen Plaza, Olympia, Washington 98504.

(7) The indexes shall be kept current and updated annually.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-14-045, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-045, filed 7/9/85; Order 62, § 390-14-045, filed 8/26/75.]

WAC 390-14-055 Record request form. The public disclosure commission hereby adopts for use by all persons requesting inspection and/or copies of records entitled "Request for public records," revised 10/92.

pdC OUT

REQUEST FOR PUBLIC RECORDS

Please fill out one out card for each file you wish to see. If you need assistance, please ask receptionist for help.

(Name of person/organization whose file you want)

This person/organization is a:

Candidate, elected or appointed official
 Campaign info Personal financial affairs

Political action committee; party organization
 Statewide initiative campaign

Lobbyist
 Lobbyist employer

Other _____
 (specify)

Today's date _____

[Statutory Authority: RCW 42.17.370. 92-24-015, § 390-14-055, filed 11/20/92, effective 12/21/92; Order 62, § 390-14-055, filed 8/26/75.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.

WAC 390-14-100 List of elected public officials. (1) The public disclosure commission shall prepare, collate and make available for public distribution a list of all state elected officials of the state of Washington. The list shall be published by the commission and updated annually.

(2) In addition, the list shall contain those entities which are reported by those state elected officials pursuant to RCW 42.17.241 (1)(g).

(3) This list shall contain the most recent information on file with the commission as of February 1 each year.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-100, filed 7/9/85; 80-05-097 (Order 80-05), § 390-14-100, filed 5/2/80; 79-10-017 (Order 79-05), § 390-14-100, filed 9/7/79; Order 62, § 390-14-100, filed 8/26/75.]

WAC 390-14-105 List of elected public officials—Responsibility for developing. The executive director of the public disclosure commission shall be responsible for keeping the list on a current basis and shall develop all procedures necessary for performing that responsibility.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-14-105, filed 7/9/85; Order 62, § 390-14-105, filed 8/26/75.]

WAC 390-14-110 List of elected public officials—Name not on list, impact. (1) The commission has as part of its authority the power to suspend or modify reporting requirements of chapter 42.17 RCW, if it finds after hearing that literal application of the act would work a manifest hardship, and if it finds that suspension or modification will not frustrate the purpose of the act.

(2) Upon a hearing of this nature, the commission shall presume the reporting of the name of any elected official as required by the act to be an unreasonable hardship, if the name of that elected official does not appear on the list compiled pursuant to this chapter.

(3) The commission shall presume it is a manifestly unreasonable hardship for a lobbyist employer to report the compensation paid to a corporation, partnership, joint venture, association, union or other entity in which a state elected official or member of his immediate family holds any office, directorship, general partnership interest, or an ownership interest of ten percent or more, if:

(a) The name of such entity does not appear on the most recent list of state elected officials published by the commission pursuant to WAC 390-14-100; and

(b) The lobbyist employer does not have actual knowledge of such compensation being paid to such entity.

[Statutory Authority: RCW 42.17.370(1). 80-05-097 (Order 80-05), § 390-14-110, filed 5/2/80; Order 62, § 390-14-110, filed 8/26/75.]

Chapter 390-16 WAC

FORMS FOR CAMPAIGN FINANCING REPORTING—CONTRIBUTIONS

WAC

390-16-011	Forms—Registration statement for political committees.
390-16-012	Forms—Registration statement for candidates.
390-16-031	Forms for statement of contributions deposit.
390-16-032	Forms—Auction report.
390-16-033	Earmarked contributions—Reporting—Form.
390-16-037	Purpose of campaign expenditures—Reporting.
390-16-038	Definition—Aggregate.
390-16-039	Total contributions and expenditures—Reporting.
390-16-041	Forms—Summary of total contributions and expenditures.
390-16-042	Contingent liabilities—Reporting.
390-16-050	Forms for contributions and expenditures of political committees not domiciled in Washington state.
390-16-055	Filing reports for nonreporting committees.
390-16-060	Forms for report of independent expenditures.
390-16-105	Abbreviated campaign reporting—Eligibility.
390-16-111	Abbreviated campaign reporting—Special fund raising events.
390-16-115	Abbreviated campaign reporting—Conditions for granting use.
390-16-120	Abbreviated campaign reporting—Times and place for filing reports C-1, C-1pc and C-4abb.
390-16-121	Last minute committees.
390-16-125	Abbreviated campaign reporting—Exceeding limitations.
390-16-150	Mini campaign reporting.
390-16-155	Mini campaign reporting—Exceeding limitations.
390-16-200	Encouraging expenditures to avoid contributions—Result.
390-16-205	Expenditures by agents, employees—Reporting.
390-16-206	Ratings and endorsements.
390-16-207	In-kind contributions and expenditures—Reporting.
390-16-221	Tangible property—Definition.
390-16-230	Surplus campaign funds—Use in future.
390-16-240	Earmarked contributions—Definition and use.
390-16-308	Identification of source of contribution.
390-16-310	Limitation on contributions.
390-16-312	Handling contributions of uncertain origin.

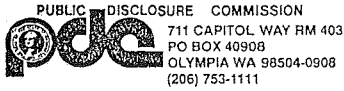
DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-16-010	Forms—For statement of organization by political committees. [Order 5, § 390-16-010, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
390-16-020	Forms—For report of campaign treasurer and depository. [Order 5, § 390-16-020, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.

390-16-030	Forms—For statement of contributions deposit. [Order 5, § 390-16-030, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
390-16-035	Form C-3—Time for filing. [Order 87, § 390-16-035, filed 11/19/76; Order 62, § 390-16-035, filed 8/26/75; Order 20, § 390-16-035, filed 10/29/73.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-16-036	Form for reporting fund raising events. [Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-036, filed 2/5/86; 82-11-026 (Order 82-03), § 390-16-036, filed 5/10/82; 82-02-007 (Order 81-04), § 390-16-036, filed 12/28/81; Order 84, § 390-16-036, filed 8/18/76.] Repealed by 89-20-068, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370.
390-16-040	Forms—For report of contributions and expenditures by candidates and political committees. [Order 5, § 390-16-040, filed 3/2/73.] Repealed by Order 60, filed 7/16/75.
390-16-061	Campaign financing—Special reports. [Order 67, § 390-16-061, filed 1/16/76; Order 62, § 390-16-061, filed 8/26/75.] Repealed by 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).
390-16-062	Campaign financing—Special reports—Time for filing. [Order 67, § 390-16-062, filed 1/6/76; Order 62, § 390-16-062, filed 8/26/75.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-16-070	Form for report by commercial advertisers. [Order 62, § 390-16-070, filed 8/26/75; Order 41, § 390-16-070, filed 9/26/74; Order 6, § 390-16-070, filed 3/23/73.] Repealed by Order 73, filed 4/26/76.
390-16-080	Reports by nondomiciled committee—For report by candidates/committees less than \$1,000 expenditures—Contributions. [Order 41, § 390-16-080, filed 9/26/74; Order 19, § 390-16-080, filed 10/29/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-16-085	Candidates and committees—Surplus funds—Defined. [Order 35, § 390-16-085, filed 8/29/74.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-16-090	Candidates and committees—Disposition. [Order 35, § 390-16-090, filed 8/29/74.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-16-095	Candidates and committees—Use in future. [Order 35, § 390-16-095, filed 8/29/74.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).
390-16-100	Abbreviated campaign reporting—Reports by candidates/committees less than \$1,000 expenditures—Contributions. [Order 62, § 390-16-100, filed 8/26/75.] Repealed by Order 76, filed 5/6/76.
390-16-110	Abbreviated campaign reporting—Ballot propositions. [Order 91, § 390-16-110, filed 7/22/77; Order 62, § 390-16-110, filed 8/26/75.] Repealed by 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).
390-16-220	Surplus campaign funds—Definition. [Statutory Authority: RCW 42.17.370(1). 78-07-037 (Order 98), § 390-16-220, filed 6/26/78; Order 70, § 390-16-220, filed 2/25/76; Order 62, § 390-16-220, filed 8/26/75.] Repealed by 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).
390-16-223	Major political party—Definition. [Statutory Authority: RCW 42.17.370(1). 88-14-064 (Order 88-02), § 390-16-223, filed 7/1/88.] Repealed by 88-20-029 (Order 88-04), filed 9/29/88. Statutory Authority: RCW 42.17.370(1).
390-16-225	Surplus campaign funds—Disposition. [Order 70, § 390-16-225, filed 2/25/76; Order 62, § 390-16-225, filed 8/26/75.] Repealed by 86-04-071 (Order 86-01), filed 2/5/86. Statutory Authority: RCW 42.17.370(1).
390-16-300	Fund raising events—Time and place of filing form C-3A. [Order 84, § 390-16-300, filed 8/18/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).

- 390-16-302 Reporting fund raising events—Incidental activities. [Order 84, § 390-16-302, filed 8/18/76.] Repealed by 89-20-068, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370.
- 390-16-306 Volunteer workers, fund raising activities. [Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-306, filed 2/5/86; Order 84, § 390-16-306, filed 8/18/76.] Repealed by 89-20-068, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370.

WAC 390-16-011 Forms—Registration statement for political committees. The official form for providing [the] statement [of] [or] organization by political committees[,] for designating [a] campaign treasurer and depository and for reporting information required to qualify for abbreviated campaign finance reporting is designated "C-1pc," revised 7/92. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



REGISTRATION: POLITICAL COMMITTEES

PDC OFFICE USE
PORT
RECEIVED
C1 P C (7/92)

Committee Name (Show entire official name.) Acronym

Mailing Address

City County Zip + 4

NEW REGISTRATION OR UPDATE OF PRIOR REGISTRATION? COMMITTEE STATUS
NEW: Complete all items in the registration
AMENDED: Supply the information below which has changed
Continuing committee
19 election only; election date

1. What is the purpose or description of the committee?
Political Party, Central Committee, District Club, etc.
Ballot Committee (Initiative, Bond, Levy, Recall, etc.)
Political Action Committee.
Other. Explain on attached sheet.

2. Related or affiliated committees. List name, address and relationship.

3. HOW MUCH DO YOU PLAN TO SPEND DURING THIS ENTIRE ELECTION CAMPAIGN...
ABBREVIATED REPORTING
FULL REPORTING

4. Treasurer's Name and Address (List deputy treasurers on attached sheet.) Daytime Telephone Number

5. Committee's Principal Officers. List name, address and title.

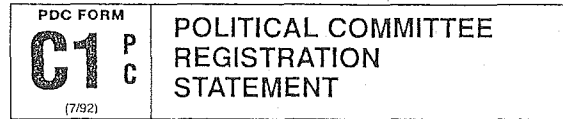
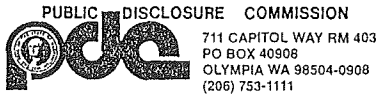
6. Campaign Bank or Depository.
Branch City

7. Campaign records are to be open for public inspection the last eight days before the election. Street Address (Do not use a Post Office Box Number) Hours

8. Fair Campaign Practices: All committee officers are encouraged to subscribe to the Code of Fair Campaign Practices...
9. Signature and Certification. I certify that this statement is true, complete and correct to the best of my knowledge. Committee treasurer's signature Date



Need campaign finance forms and instructions for the reporting system selected? Please check one of the following boxes:
I already have forms and instructions.
I will get forms and instructions from my county elections office.
I want the Public Disclosure Commission to mail me the proper forms and instructions.



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report.
 Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Persons, committees, organizations and groups that receive contributions and make expenditures in support of or opposition to: candidates in jurisdictions of 5,000 or more registered voters as of the last general election; statewide ballot issues; or local ballot issues in jurisdictions with 1,000 or more registered voters as of the last general election.
- WHEN TO FILE** Within 2 weeks of organizing a committee or first expecting to receive contributions or make expenditures, whichever occurs first. (Committees that organize within three weeks of an election must file within three business days of forming or of expecting to receive contributions or make expenditures.) File an amended C-1pc form within 10 days of significant changes to the registration information provided. Continuing political committees using Abbreviated Reporting must also file a C-1pc annually in January. Reports are considered filed as of the postmark date or date hand-delivered to PDC.
- WHERE TO FILE** Send the **original** to PDC at the above address. Send a **copy** to the **County Auditor** (County Elections Department) of the county in which the committee headquarters is located. If there is no headquarters, send to the County Auditor of the county in which the treasurer resides.
- REPORTING OPTIONS**
 - Abbreviated Reporting: May be used by committees that raise and spend no more than \$2,000 on their campaign activities. No more than \$200 may be accepted from any contributor. A 10th-of-the-month post primary, general or special election C-4 ABB report is required. Continuing committees re-register annually and file a year-end C-4 ABB by January 10 for any year in which they do not participate in an election.
 - Full Reporting: Required of all committees that do not qualify for Abbreviated Reporting. Frequent, detailed reports of contributions and expenditures are required until the committee is disbanded and the campaign account is closed.
- OTHER REPORTS**
 - C-3 (Cash Receipts Report): Used with Full Reporting only.
 - C-4 (Contribution and Expenditure Report): Used with Full Reporting only.
 - C-4 ABB (Receipts and Expenditures Summary): Filed by candidates and committees using Abbreviated Reporting.
 - Special Report E (Earmarked Contributions Report): Filed by committees that receive funds earmarked for use on behalf of a candidate or another political committee.
- FAIR CAMPAIGN PRACTICES CODE** This is a voluntary code adopted by PDC to stress the importance of ethical campaign practices. All committee members and supporters are encouraged to follow the Code's principles.
- SURPLUS FUNDS** Funds remaining in committee accounts after the election may only be disposed of in one or more of the following ways: returned to contributors; donated to registered charity; held for future election campaign; given to candidates or other committees; used for political or community activities; or donated to the State General Fund.

For assistance, call or write PDC!


[Statutory Authority: RCW 42.17.370. 92-18-002, § 390-16-011, filed 8/20/92, effective 9/20/92; 91-22-033, § 390-16-011, filed 10/30/91, effective 11/30/91; 89-20-068, § 390-16-011, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-011, filed 2/5/86; 82-11-026 (Order 82-03), § 390-16-011, filed 5/10/82; 82-02-007 (Order 81-04), § 390-16-011, filed 12/28/81; Order 91, § 390-16-011, filed 7/22/77; Order 62, § 390-16-011, filed 8/26/75; Order 60, § 390-16-011, filed 7/16/75.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-16-012 Forms—Registration statement for candidates. The official form for providing the statement of organization by candidates and candidate's committees, for designating a campaign treasurer and depository and for reporting information required to qualify for mini campaign finance reporting or abbreviated campaign finance reporting is designated "C-1," revised 7/92. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments shall be on 8-1/2" x 11" white paper.

Campaign Financing Reporting

390-16-012

PUBLIC DISCLOSURE COMMISSION
 711 CAPITOL WAY RM 403
 PO BOX 40908
 OLYMPIA WA 98504-0908
 (206) 753-1111

**REGISTRATION:
 CANDIDATES/CANDIDATE COMMITTEE**

Candidate's Name (Do not abbreviate, include candidate's full name)			C1	P M A R K R E C E I V E D	PDC OFFICE USE
Candidate's Committee Name (Do not abbreviate.)					(7/92)
Mailing Address					
City	County	Zip + 4			

1. What office are you running for?	Office	District, County or City	Position No.
2. Political party (if partisan office)	3. Date of general or special election		

4. How much do you plan to spend during your entire election campaign, including the primary and general elections? Based on that estimate, choose one of the reporting options below.

If no box is checked you are obligated to use Option III, Full Reporting. See instruction manuals for information about reports required and changing reporting options.

Option I MINI REPORTING
 I will limit contributions or expenditures during this campaign to my filing fee of \$_____ plus no more than \$500, including charges for the voters pamphlet. I will accept no more than \$200 in the aggregate from any contributor except myself.

Option II ABBREVIATED REPORTING
 I will use the Abbreviated Reporting System. I will raise and spend no more than \$2,000 and will accept no more than \$200 in the aggregate from any contributor except myself.

Option III FULL REPORTING
 I will use the Full Reporting System. I understand frequent, detailed reports are required.

5. Treasurer's Name and Address (Candidate may be treasurer.) (List deputy treasurers on attached sheet.)	Daytime Telephone Number ()
---	---------------------------------

6. Committee's Principal Officers. List name, address and title.

7. Campaign Bank or Depository

Branch	City
--------	------

8. Related or Affiliated Political Committees. List name, address and relationship.

9. Campaign records are to be open for public inspection the last eight days before election. (Two hours daily between 8 AM - 8 PM, Monday - Friday.) Show location and hours below:

Street Address (Do not use a Post Office Box Number)	Hours
--	-------

10. Fair Campaign Practices: All candidates and committee officers are encouraged to subscribe to the Code of Fair Campaign Practices printed in the instruction manuals.



11. CERTIFICATION:
 I certify that this report is true, complete and correct to the best of my knowledge.

Please advise us about which forms and instructions you need. Remember, candidates must file a Financial Affairs Statement (F-1) unless a current one is already on file with PDC. Check all boxes which apply.

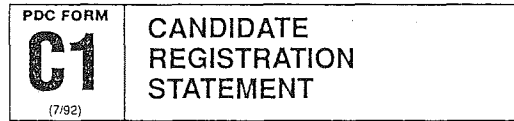
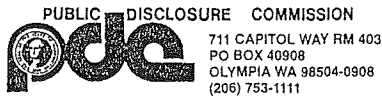
I already have financial affairs and campaign disclosure forms and instructions.

I am using Mini Reporting and, therefore, do not need the other campaign disclosure forms. In addition, I have already filed my Financial Affairs Statement and need no additional F-1 forms.

I will obtain all forms and instructions from my county elections office.

I want PDC to mail me: the F-1 instruction booklet (which includes forms) the appropriate campaign disclosure forms and instructions.

DISTRIBUTION OF THIS REPORT:
 ORIGINAL — Public Disclosure Commission
 COPY — County Elections Dept. (Auditor)
 COPY — Your own records



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report.
 Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Candidates who run for state or local office in jurisdictions that had 5,000 or more registered voters as of the last general election or in jurisdictions covering an entire county.

- WHEN TO FILE** Within 2 weeks of becoming a candidate (that is, receiving contributions, making expenditures, announcing candidacy, reserving space or filing for office, whichever occurs first). File an amended registration within 10 days of changes affecting accuracy of previously filed C-1. Report is considered filed as of postmark date or date hand-delivered to PDC.

- WHERE TO FILE** Send the **original to PDC** at the above address. Send a **copy to County Auditor** (County Elections Department) of the county in which the candidate resides.

- REPORTING OPTIONS** Option I (MINI): May be used by candidates who raise and spend no more than \$500 on their campaigns (including personal funds), in addition to the filing fee amount. Limited to receiving \$200 or less from any contributor other than the candidate (who may give the entire \$500).
Option II (ABBREVIATED): May be used by candidates who raise and spend no more than \$2,000 on their campaigns (including personal funds). Filing fee costs count toward this limit. No more than \$200 may be accepted from any contributor other than the candidate.
Option III (FULL): Required of candidates who do not qualify for Mini or Abbreviated Reporting. Frequent, detailed reports of contributions and expenditures are required as long as the campaign account remains open.

- OTHER REPORTS** F-1 (Financial Affairs Statement): Filed by candidates within 2 weeks of becoming a candidate, unless a previous F-1 filing has been made in the same calendar year.
C-3 (Cash Receipts Report): Used with Full Reporting only.
C-4 (Contribution and Expenditure Report): Used with Full Reporting only.
C-4 ABB (Receipts and Expenditures Summary): Filed by candidates using Abbreviated Reporting.

- FAIR CAMPAIGN PRACTICES CODE** This is a voluntary code adopted by PDC to stress the importance of ethical campaign practices. All candidates and campaign workers are encouraged to follow the Code's principles.

- SURPLUS FUNDS** Funds remaining in campaign accounts after the election may only be disposed of in one or more of the following ways: returned to contributors; donated to registered charity; held for future election campaign; given to other candidates or committees; reimbursed to candidates for lost earnings or campaign loans used for political or community activity or for nonreimbursed public office related expenses; or donated to the State General Fund.

For assistance, call or write PDC!

[Statutory Authority: RCW 42.17.370. 92-18-002, § 390-16-012, filed 8/20/92, effective 9/20/92; 89-20-068, § 390-16-012, filed 10/4/89, effective 11/4/89.]

WAC 390-16-031 Forms for statement of contributions deposit. The official form for statement of contributions deposit is designated "C-3," revised 1/90. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



CASH RECEIPTS MONETARY CONTRIBUTIONS

Form section for PDC OFFICE USE, including a 'C3' stamp and 'RECEIVED' stamp.

Candidate or committee name (Do not abbreviate. Use full name.)

Address

City

ZIP code

Office Sought (candidates)

1. MONETARY CONTRIBUTIONS DEPOSITED IN ACCOUNT

Table with columns: Date Received, Description (a-e), Amount, Total given by this person during campaign or year.

2. CONTRIBUTION OVER \$25.00

Table with columns: Date received, Contributor's Name, Address, City, Amount, Total given by this person during campaign or year. Includes a sub-total row and a checkbox for additional pages.

3. TOTAL FUNDS RECEIVED AND DEPOSITED OR CREDITED TO ACCOUNT

Sum of parts 1 and 2 above. Enter this amount in line 1, Schedule A to C4.

Signature and date section: 'This report includes contributions deposited on (date) in (name of bank) I certify that this report is true and complete to the best of my knowledge Treasurer's Signature Date'

[Statutory Authority: RCW 42.17.370. 89-20-068, § 390-16-031, filed 10/4/89, effective 11/5/89. Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-031, filed 2/5/86; 84-05-018 (Order 84-01), § 390-16-031, filed 2/10/84; 82-11-026 (Order 82-03), § 390-16-031, filed 5/10/82; 82-02-007 (Order 81-04), § 390-16-031, filed 12/28/81; 81-14-038 (Order 81-02), § 390-16-031, filed 6/29/81; Order 62, § 390-16-031, filed 8/26/75; Order 60, § 390-16-031, filed 7/16/75.]

WAC 390-16-032 Forms—Auction report. The official form for reporting items donated and sold at auctions, as required by RCW 42.17.090 (1)(b), is designated "Attachment Au," revised 8/92. This attachment shall accompany each C-3 which reports the receipt of funds from an auction. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504.

AUCTION REPORT

Use this form as an attachment to C3 to report items donated and sold at auctions.
Please see the reverse for an example of a report.

ATTACHMENT **Au**
TO C3

Candidate or committee name	Date auction was held
-----------------------------	-----------------------

Item No. description	Name and address	Fair market value	Sale price	Amount over fair market value	Total given by this person during campaign
Contributor					
Buyer					
Contributor					
Buyer					
Contributor					
Buyer					
Contributor					
Buyer					
Contributor					
Buyer					
Contributor					
Buyer					
Contributor					
Buyer					

Cash receipts, this page (Total, sale price column)	→	
Total from attached pages	→	
Total cash receipts (Put this amount in part 1d of C3 report)	→	

See instructions on reverse

I certify that the information herein is true, correct and complete to the best of my knowledge.	
Treasurer's signature	Date

Instructions

Use this form as an attachment to your C3 (Cash Receipts and Bank Deposits).

Item No. description: As each item to be auctioned is received, assign it a number and a brief description.

Contributor: The person or organization which donates an article to be auctioned. If your committee purchases items for auction, state "purchased by committee" under contributor's name.

Buyer: The person who buys the item being auctioned.

Fair market value: The retail value of the article. If the retail value cannot be estimated or found, state "unknown."

Sale price: The amount the buyer paid for the item.

Amount over fair market value: The amount the sale price exceeds fair market value. If sale price is less than fair market value, leave blank.

Total given by this person during campaign:

Contributor—Fair market value of the item (substitute sale price, if lower) plus all previous contributions made to the candidate or committee.

Buyer—Amount over fair market value plus all previous contributions made to candidate or committee.

Cash payments: A payment of more than \$50.00 may not be accepted unless a receipt, signed by the buyer and the candidate, treasurer or deputy treasurer is prepared and made part of the committee's financial records.

AUCTION REPORT

Use this form as an attachment to C3 to report items donated and sold at auctions.

Candidate or committee name				Date auction was held	
JONES FOR SHERIFF COMMITTEE				9/14/XX	
Item No. description	Name and address	Fair market value	Sale price	Amount over fair market value	Total given by this person during campaign
NO. 1 USE BEACH CABIN	Contributor JOHN DOE 200 "A" STREET, SEATTLE 98101	\$100			\$100
	Buyer MARY SMITH 400 "B" STREET, TACOMA 98402		\$125	\$25	\$25
NO. 2 DINNER FOR 4	Contributor SAM BROWN 123 MILITARY ROAD, ANYTOWN 99101	\$80			\$60
	Buyer TOM MIX RT. 2, BOX 1, SADDLE MT. 98900		\$60		
NO. 3 BOAT CRUISE	Contributor CAPT. MOBY DICK 401 WATERFRONT, POULSBO 98701	\$75			\$75
	Buyer MERRI RYDER 204 E. LAND, MYBURG 99100		\$90	\$15	\$15
	Contributor				
	Buyer				
Cash receipts, this page (Total, sale price column)			\$275.00		
Total from attached pages			0		
Total cash receipts (Put this amount in part 1d of C3 report)			\$275.00		

[Statutory Authority: RCW 42.17.370. 92-19-011 § 390-16-032, filed 9/3/92, effective 10/4/92; 89-20-068, § 390-16-032, filed 10/4/89, effective 11/4/89.]

WAC 390-16-033 Earmarked contributions—Reporting—Form. The official form for reporting the details surrounding an earmarked contribution, as required by RCW 42.17.125, is designated "Special Report E," revised 1/90. This report shall be filed within two working days of receiving a contribution earmarked for another candidate or committee. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504.

STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

EARMARKED CONTRIBUTION

SPECIAL REPORT E

PDC OFFICE USE

P
M
O
A
R
K
E
D
R
E
C
E
I
V
E
D

1. Name of committee filing this report (Candidate or committee which received a contribution earmarked for another.)

Address

City

County

Zip

2. Original source of earmarked contribution

Name

Address

City

State

Zip

3. Contribution Date Amount / Value Description (Fully describe in kind contributions)

4. Name of candidate or committee to be benefited

Address

City

County

Zip

If candidate, what office is the person seeking? _____

5. Certification: I certify that the information contained herein is true, complete and correct to the best of my knowledge.

Treasurer's signature _____ Date _____

INSTRUCTIONS:

The purpose of this report is to highlight receipt of an earmarked contribution. (That is, a contribution given to one candidate or political committee with the understanding, intent or instruction that it be used to benefit another candidate or committee.) This report is filed in addition to any other required reporting of the transaction.

A separate "Special Report E" is filed for each earmarked contribution received by any candidate or political committee.

File this report within two working days of receiving the earmarked contribution. Mail or deliver the original to PDC. Send a copy to the benefiting candidate or committee, also within two working days.

NOTE: Candidates or committees for whom the earmarked contribution is ultimately intended report the contribution when they actually receive it. Such candidates and committees will use form C-3 or Schedule B to the C-4 to show receipt of the contribution. See PDC instruction manual for examples and more information.

PUBLIC DISCLOSURE COMMISSION

403 Evergreen Plaza, Mail Stop FJ-42 • Olympia, Washington 98504-3342 • (206) 753-1111

[Statutory Authority: RCW 42.17.370. 90-16-083, § 390-16-033, filed 7/31/90, effective 8/31/90; 89-20-068, § 390-16-033, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). 86-14-056 (Order 86-05), § 390-16-033, filed 6/27/86.]

WAC 390-16-037 Purpose of campaign expenditures—Reporting. Any person required to report the "purpose" of an expenditure under RCW 42.17.090 (1)(f) and (k)(viii), or 42.17.100 (1)(e)(ii) shall (1) specifically identify any candidate(s) or ballot proposition(s) that are supported or opposed by the expenditure unless such candidate(s) or ballot proposition(s) have been previously identified in a statement of organization of the person required to be filed under RCW 42.17.040 (2)(f) and (g), and

(2) Whenever an expenditure is made to a candidate or a political committee pursuant to an agreement or understanding of any kind regarding how the recipient will use the expenditure, specifically describe that agreement or understanding, and

(3) Specifically describe the goods and/or services to be provided by the recipient of the expenditure.

[Statutory Authority: RCW 42.17.370(1). 82-05-001 (Order 82-01), § 390-16-037, filed 2/4/82.]

WAC 390-16-038 Definition—Aggregate. The term "aggregate" for the purpose of these campaign financing rules means (1) a total of all contributions received or expenditures made by a candidate or committee together with all contributions received or all expenditures made by all political committees formed by or with the knowledge or consent of such candidate or committee in connection with such campaign, and (2) the total of all contributions from a person.

[Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-038, filed 2/5/86; Order 62, § 390-16-038, filed 8/26/75.]

WAC 390-16-039 Total contributions and expenditures—Reporting. (1) A continuing political committee which is not organized to support or oppose a particular candidate or ballot proposition shall report total contributions and expenditures based on a calendar year, or upon the basis of a fiscal year if the commission expressly authorizes this method. The report filed by such a continuing political committee covering January (or the first month thereafter for which a report would be required by RCW 42.17.065 and 42.17.080) shall contain in summary the following items remaining at the end of the year:

- (a) Funds on hand;
- (b) The total of outstanding pledges;
- (c) Unpaid loans and outstanding obligations;
- (d) Pledges given to others but not yet paid.

(2) Each candidate, each political committee and each continuing political committee organized to support or oppose a particular candidate or ballot proposition shall report total contributions and expenditures for the period beginning at the time the person becomes a candidate or when the committee is organized, whichever is earlier, and ending when the candidacy or committee is terminated.

(3) This rule shall not require a report unless such report would otherwise be required by chapter 42.17 RCW.

[Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-039, filed 2/5/86; 79-09-041 (Order 79-04), § 390-16-039, filed 8/17/79; Order 70, § 390-16-039, filed 2/25/76.]

WAC 390-16-041 Forms—Summary of total contributions and expenditures. (1) The official form for reports of contributions and expenditures by candidates and political committees who use the "full" reporting option is designated "C-4," revised 1/90, and includes Schedule A, revised 1/90, Schedule B, revised 1/90, Schedule C, revised 1/90, and Schedule L, revised 1/90.

[(1)][(2)] The official form for reports of contributions and expenditures by candidates for the state legislature or state executive office and who use the "full" reporting option is designated C-4, revised 1/90, and includes Schedule A-s/l, revised 10/91, Schedule B-s/l, revised 10/91, Schedule C, revised 1/90, and Schedule L, revised 1/90.

(3) The official form for reports of contributions and expenditures by candidates and political committees who use the "abbreviated" reporting option is designated "C-4abb," revised 7/92.

(4) Copies of these forms are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

SUMMARY, FULL REPORT RECEIPTS AND EXPENDITURE

PUBLIC DISCLOSURE COMMISSION

C4 1/90

PDC OFFICE USE

PARK RECEIVED

Candidate or committee name (Do not abbreviate. Include full name.)

Address

City

County

Zip

Report Period Covered From: (last C-4) To: (end of period)

RECEIPTS

- 1. Previous total cash and in kind contributions (From line 8, last C-4)
2. Cash received (From line 2, Schedule A)
3. In kind contributions received (From line 1, Schedule B)
4. Total cash and in kind contributions received this period (Line 2 plus 3)
5. Loan principal repayments made (From line 2, Schedule L)
6. Corrections (From line 1 or 3, Schedule C)
7. Net adjustments this period (Combine lines 5 & 6)
8. Total cash and in kind contributions during campaign (Combine lines 1, 4 & 7)
9. Total pledge payments due (From line 2, Schedule B)

EXPENDITURES

- 10. Previous total cash and in kind expenditures (From line 17, last C-4)
11. Total cash expenditures (From line 4, Schedule A or line 5 Schedule A-s/l)
12. In kind expenditures (goods & services) (From line 1, Schedule B)
13. Total cash and in kind expenditures made this period (Line 11 plus line 12)
14. Loan principal repayments made (From line 2, Schedule L)
15. Corrections (From line 2 or 3, Schedule C)
16. Net adjustments this period (Combine lines 14 & 15)
17. Total cash and in kind expenditures during campaign (Combine lines 10, 13 and 16)

CANDIDATES

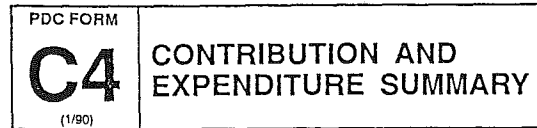
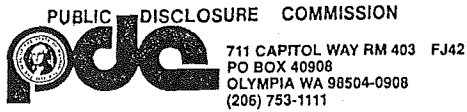
Table with columns: Won, Lost, Unopposed, Name not on ballot. Rows: Primary election, General election.

CASH SUMMARY

- 18. Cash on hand (Line 8 minus line 17)
19. Liabilities: (Sum of loans and debts owed)
20. Balance (Surplus or deficit) (Line 18 minus line 19)

CERTIFICATION: I certify that the information herein and on accompanying schedules and attachments is true to the best of my knowledge.

Candidate's Signature Date Treasurer's Signature (if a political committee) Date



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report.
 Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Each candidate and political committee using Full Reporting.
- FILING DATES**
- 1) File with C-1 (Registration) if you received contributions or made expenditures before registering.
 - 2) File on the 10th of each month if contributions or expenditures were over \$200 since last C-4 was filed. (Note: These 10th-of-the-month reports are not required if another C-4 must be filed during that month. See #3 below.)
 - 3) For each primary, general and special election in which the candidate or political committee makes an expenditure, file
 - ◆ 21 days prior to the election
 - ◆ 7 days prior to the election
 - ◆ 10th of the first month after the election*

(*Not required after primary from candidates who will be in the general election or from continuing political committees.)
 - 4) File final report when campaign is finished or committee closes operation. Often, this coincides with the primary or general post-election, 10th-of-the-month report.
- All reports are considered filed as of the postmark date or the date hand-delivered to PDC.
- SCHEDULES AND ATTACHMENTS**
- State executive and legislative candidates will file Schedules A-s/l, B-s/l, C and L, as appropriate, along with the C-4. (The C-4x form has been eliminated.)
- Judicial and local office candidates and all political committees will file Schedules A, B, C and L, as appropriate, along with their C-4 reports.
- All candidates and committees must attach any C-3 reports that were due but not filed.
- WHERE TO SEND REPORTS**
- Send original C-4 reports along with any attachments to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.
- OTHER REPORTS**
- C-3 (Cash Receipts Report): Used with Full Reporting only.
- C-4 (Contribution and Expenditure Report): Used with Full Reporting only.
- C-4 ABB (Receipts and Expenditures Summary): Filed by candidates using Abbreviated Reporting.
- Special Report E (Earmarked Contributions Report): Filed by committees that receive funds earmarked for use on behalf of another candidate or committee.

For assistance, call or write PDC!

CASH RECEIPTS AND EXPENDITURES

SCHEDULE A to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit made since last C4 report was submitted.

Table with 7 columns: Date of deposit, Amount, Date of deposit, Amount, Date of deposit, Amount, Total deposits

2. TOTAL CASH RECEIPTS

Enter also on line 2 of C4

3. CASH EXPENDITURES. List all expenses since last C-4 report was filed.

- a. Total expenditures each \$50 or less not itemized below (including petty cash)
b. Payments and reimbursement to candidate or committee officials. Attach a sheet listing each payment, the person paid, the original vendor and the purpose of the expenditure. Attach a copy of each receipt or invoice.

EXPENDITURES OVER \$50.00. ITEMIZE EACH BELOW.

Table with 3 columns: Date paid, Name and address of recipient or vendor paid, Purpose of expenditure

Check here [] if continued on attached sheet

Total from attached pages

4. TOTAL CASH EXPENDITURES

Enter also on line 11 of C4

**IN KIND CONTRIBUTIONS, PLEDGES, ORDERS,
DEBTS, OBLIGATIONS**

SCHEDULE B
to C4 (1/90)

Candidate or committee name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date received	Contributor's name and address	Description of contribution	Fair market value	Total given by this person during campaign or year
TOTAL (Enter also on line 3 and line 12 of C4)				

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.

Date you were notified of pledge	Name and address of person making pledge (including organizations)	Amount	Total given by this person during campaign or year
TOTAL (Include new pledges above and all other outstanding pledges.) (Enter also on line 9 of C4)			

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

- a. List each debt, obligation or estimated expenditure which is more than \$250.00.
- b. List each debt, obligation or estimated expenditure which is more than \$50.00 and has been outstanding for over 30 days.

Expenditure date	Vendor's / Recipient's name and address	Amount owed	Purpose of expenditure
TOTAL (Include in line 19 of C4)			

CORRECTIONS

SCHEDULE C
to C4

Candidate or committee name (Do not abbreviate. Use full name.)

Date

1. CONTRIBUTIONS AND RECEIPTS (include mathematical corrections.)

Date of report	Contributor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
		Total corrections to contributions		
		Enter on line 6 of C4. Show + or (-).		

2. EXPENDITURES (include mathematical corrections.)

Date of report	Vendor's name or description of correction	Amount reported	Corrected amount	Difference (+ or -)
		Total corrections to expenditures		
		Enter on line 15 of C4. Show + or (-).		

3. REFUNDS. The below listed amounts have been received as refunds on expenditures previously reported. The refund has been deposited and reported on C3 report, line 1d.

Date of refund	Source/person making refund	Amount of refund
		Total refunds
		Enter as (-) on line 6 & line 15 of C4.



SCHEDULE TO C3 OR C4	L (1/90)	LOANS
----------------------------	--------------------	--------------

INSTRUCTIONS

Please consult PDC instruction manuals when completing this schedule. Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

WHO MUST FILE Each candidate and political committee using full reporting that receives one or more campaign loans.

FILING DATES When a loan is received by the campaign, complete Part 1 and file the Schedule L with the C-3 report that corresponds with the loan's deposit into the account. **Use a separate schedule for each loan received.**

When a loan is paid or forgiven, in whole or in part, complete Part 2 and/or Part 3 and file the Schedule L with the C-4 covering the period when the payment or forgiveness occurred.

When one or more loans remain unpaid, complete Part 4 and file the schedule with each C-4 report until all loans are repaid in full or forgiven. (The same schedule may be used to show loan payments, forgiveness information and to show which loans remain unpaid.)

LOAN RECEIVED
(Information would appear on separate Schedule L)

LOAN PAYMENTS

LOAN FORGIVEN

LOANS STILL OWED

LOANS		See instructions and examples on reverse		SCHEDULE TO C3 OR C4		L (1/90)	
Candidate or committee name Adrian Adams for State House							
1. LOAN RECEIVED.							
Date loaned	Lender's name and address	Amount of loan	Annual interest rate	Repayment schedule	Date due		
2/10/9X	Candidate	\$5,000	12%	\$200/month	Not fixed		
		Also include this amount on line 1c, C-3 report →	\$5,000				
Name and address of each addressee, co-signer, guarantor or other person liable for the loan: Commercial loan to the candidate from Washington State Bank. Loan co-signed by Sam P. Smith, 145 Boulevard Drive, Podunk, WA and Jane S. Paul, 541 B Street, Podunk, WA. Each guaranteed \$2,500 of the loan.							
2. LOAN PAYMENTS.							
Date paid	Lender's name and address	Principal paid	Interest paid	Total payment	Balance owed		
3/30/9X	Candidate	\$200	\$50	\$250	\$4,800		
3/31/9X	Michael Murray	\$100	None	\$100	\$ 400		
		Total Principal Paid →	\$300				
		(Enter also on lines B and 14, C-4 report)					
				Total Payments →	\$350		
				(Enter as an expenditure on Schedule A)			
3. LOAN FORGIVEN.							
Date	Lender's name and address	Original amount	Principal repaid	Amount forgiven	Balance owed		
3/15/9X	Kelly Adams	\$250	None	\$150	\$100		
4. LOANS STILL OWED. List each loan which has previously been reported and still has a balance due.							
Loan date	Lender's name and address	Original amount	Principal repaid or forgiven	Amount owed			
2/10/9X	Candidate	\$5,000	\$200	\$4,800			
1/22/9X	Michael Murray	500	100	400			
3/01/9X	Kelly Adams	250	150	100			
3/11/9X	K.M. Lawrence	1,000	0	1,000			
				Subtotal	\$6,300		
				New loans received during this reporting period	0		
				Total Loans Owed (Include in total on line 19, C-4 report)	\$6,300		
<input type="checkbox"/> Check here if continued on attached sheet.							

**CASH RECEIPTS AND EXPENDITURES
STATE EXECUTIVE AND LEGISLATIVE CANDIDATES**

SCHEDULE to C4 **A-S/L**
(10/91)

Candidate or Committee Name (Do not abbreviate. Use full name)

1. CASH RECEIPTS (Contributions) which have been reported on C3. List each deposit since last C4 report was submitted.

Date of Deposit	Amount	Date of Deposit	Amount	Date of Deposit	Amount	Total deposits

2. TOTAL CASH RECEIPTS Enter also on line 2 of C4

CODES FOR CLASSIFYING EXPENDITURES: If one of the following codes is used to describe an expenditure, no other description is generally needed. The exceptions are: 1) if expenditures are in-kind or earmarked contributions to another candidate or committee or independent expenditures that benefit another candidate or committee, identify that candidate or committee in the Description block; and 2) when reporting payments to vendors for travel expenses, identify the traveller in the Description block.

*CODE
DEFINITIONS
ON REVERSE*

- "C" - Contributions (monetary, in-kind & transfers)
- "I" - Independent Expenditures
- "L" - Literature, Brochures, Printing
- "B" - Broadcast Advertising (Radio, TV)
- "N" - Newspaper and Periodical Advertising
- "O" - Other Advertising (yard signs, buttons, etc.)
- "P" - Postage, Mailing Permits
- "S" - Surveys and Polls
- "F" - Fundraising Event Expenses
- "T" - Travel, Accommodations, Meals
- "M" - Management/Consulting Services
- "W" - Wages, Salaries, Benefits
- "G" - General Operation and Overhead

3. EXPENDITURES

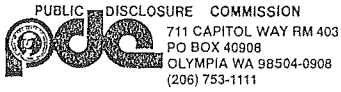
- a) Expenditures of \$50 or less, including those from petty cash, need not be itemized. Add up these expenditures by category (Own Campaign, Contribution to Others, etc.), and show the categorical subtotals in the appropriate column on the first line below.
- b) Itemize each expenditure of more than \$50 by date paid, name and address of vendor, code/description, and amount. Put the amount in the appropriate expense category column.
- c) For each payment to a candidate, campaign worker, PR firm, advertising agency or credit card company, attach a list of expenses or copies of receipts/ invoices supporting the payment.

Date Paid	Vendor or Recipient (Name and Address)	Code	Purpose of Expense and/or Description	Own Campaign	Contribution to Others	Public Office	Non-Campaign Misc.
N/A	Expenses of \$50 or Less	N/A	N/A				
Totals From Attached Pages							
4. TOTALS BY EXPENSE CATEGORY				1	2	3	4

5. TOTAL CASH EXPENDITURES (Sum of columns 1, 2, 3 & 4) Enter also on line 11 of C4

EXPENDITURE CODE DEFINITIONS AND USES

- "C" MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** (including transfers) your campaign makes to other candidates and committees. Put a "C" in the Code column, in the Description column, specify who was benefited and, if in-kind, what was purchased, and put the amount in "Contribution to Others."
- "I" INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column, fully describe purpose and put the amount in "Contribution to Others."
- "L" LITERATURE**. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- "B" BROADCAST ADVERTISING**. Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- "N" NEWSPAPER & PERIODICAL ADVERTISING**. Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- "O" OTHER ADVERTISING**. Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- "P" POSTAGE**. Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- "F" FUNDRAISING EVENTS**. Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- "S" SURVEYS AND POLLS**. Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- "T" TRAVEL, ACCOMMODATIONS, MEALS**. Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveller in Description column. If travel payment was made to credit card company or traveller (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Sch. A-s/l.
- "M" MANAGEMENT AND CONSULTING SERVICES**. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- "W" WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- "G" GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture. (Note: these are campaign-related expenses, not costs associated with holding public office.)



ABBREVIATED REPORT RECEIPTS AND EXPENDITURES

ABB C4 (7/92)

POST RECEIVED

PDC OFFICE USE

Candidate or Committee Name (Do not abbreviate. Include full name)

Mailing Address

City

County

Zip + 4

1. PERIOD COVERED BY REPORT: From: To: Final Report: Yes No

- a. Candidates: Start of campaign through the end of the month in which the election occurred.
b. Ballot Measure Committees: Start of campaign through the end of the month in which the election occurred.
c. Continuing Committees filing post-election report: January 1 through end of the month in which election occurred.
d. Continuing Committees filing annual report: Calendar year (January 1 through December 31).

2. RECEIPTS

- a. Cash on hand from previous campaign or year
b. Cash contributions received this campaign or year
c. Total cash receipts (Add lines 2a + 2b)
d. Other contributions, including in-kind
e. Total contributions (Add lines 2c + 2d)

3. EXPENSES

- a. Cash expenditures
b. Other expenditures. (Enter the amount shown on line 2d above here. Non-cash contributions are listed as both received and expended. Disregard any materials which may remain on hand.)
c. Total expenditures (Add lines 3a + 3b)

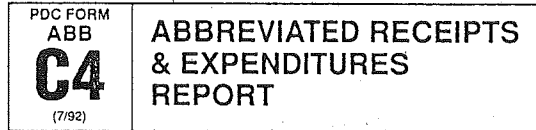
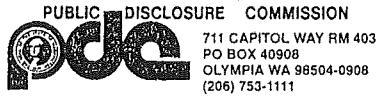
4. SURPLUS/DEFICIT

- a. Cash on hand at end of reporting period (Subtract: line 3a from 2c)
b. Debts and obligations owed
c. Surplus or deficit

CANDIDATES table with columns: Won, Lost, Unopposed, Name not on ballot. Rows for Primary election and General election.

CERTIFICATION: I certify that this report is true and correct to the best of my knowledge.

Candidate's signature Date Treasurer's signature (if a political committee) Date



INSTRUCTIONS

Please consult PDC instruction manuals when completing this report. Reporting requirements are contained in and governed by chapters 42.17 RCW and 390-16 WAC.

- WHO MUST FILE** Each candidate and political committee using Abbreviated Reporting.
- FILING DATES**
- 1) Special election candidates and political committees supporting or opposing special election candidates or ballot issues file on the 10th of the month following the election.
 - 2) Candidates who lose in the primary and political committees supporting or opposing primary election ballot issues file on October 10.
 - 3) Candidates who are in the general election and political committees making expenditures supporting or opposing general election candidates or ballot measures file on December 10.
 - 4) Continuing political committees not taking part in elections during a year file annual reports on January 10 cover the preceding calendar year.
 - 5) A final report is filed whenever a candidate's committee or a political committee ceases operation, disposes of any surplus campaign funds and has a zero account balance. Final reports may be filed at any time and may coincide with one of the due dates listed above.
- All reports are considered filed as of the postmark date or the date hand-delivered to PDC.

WHERE TO FILE Send original C-4 ABB report to PDC at the above address. Candidates send a duplicate copy to their County Auditor (County Elections Department). Political committees send a copy to County Auditor of the county in which their headquarters is located or, if no headquarters, the county in which their treasurer resides.

For assistance, call or write PDC!

**IN KIND CONTRIBUTIONS, PLEDGES, ORDERS
DEBTS, OBLIGATIONS**

SCHEDULE to C4 **B-S/L**
(10/91)

Candidate or Committee Name (Do not abbreviate. Use full name)

1. IN KIND CONTRIBUTIONS RECEIVED (goods, services, discounts, etc.)

Date Received	Contributor's Name and Address	Description of Contribution	Fair Market Value	Total given by this person during campaign or year
TOTAL (Enter also on lines 3 and 12 of C4)			_____	

2. PLEDGES RECEIVED BUT NOT YET PAID. List each pledge of \$100.00 or more.

Date Notified of Pledge	Name and Address of Person Making Pledge (including organizations)	Amount	Total given by this person during campaign or year
N/A	Sum of outstanding pledges previously itemized on Schedule B →	_____	N/A
TOTAL (Enter also on line 9 of C4)			

3. ORDERS PLACED, DEBTS, OBLIGATIONS, ESTIMATED EXPENDITURES (Excluding loans. Report loans on Schedule L.)

- a. List each debt, obligation or estimated expenditure which is more than \$250.00.
- b. List each debt, obligation or estimated expenditure which is more than \$50.00 and has been outstanding for over 30 days.

Expenditure Date	Vendor's/Recipient's Name and Address	Amount Owed	Code* OR	Description of Obligation
TOTAL (Include in line 19 of C4)				

EXPENDITURE CODE DEFINITIONS AND USES

- "C" **MONETARY, IN-KIND AND EARMARKED CONTRIBUTIONS** (including transfers) your campaign makes to other candidates and committees. Put a "C" in the Code column, in the Description column, specify who was benefited and, if in-kind, what was purchased, and put the amount in "Contribution to Others."
- "I" **INDEPENDENT EXPENDITURES** (those expenditures that benefit other candidates or committees but are made independently of them). Put an "I" in the Code column, fully describe purpose and put the amount in "Contribution to Others."
- "L" **LITERATURE**. Use "L" for expenditures made for the preparation and production of campaign literature and printed solicitations, including expenditures for mailing lists, design, photography, copy, layout, printing and reproduction. Use "P" for literature mailing costs.
- "B" **BROADCAST ADVERTISING**. Use "B" for expenditures associated with the production and purchase of radio and television advertising.
- "N" **NEWSPAPER & PERIODICAL ADVERTISING**. Use "N" for expenditures associated with the production and purchase of advertising in newspapers, periodicals and other publications.
- "O" **OTHER ADVERTISING**. Use "O" for expenditures associated with the production and purchase of advertising on billboards, yard signs and campaign paraphernalia such as buttons, bumper stickers, T-shirts, etc.
- "P" **POSTAGE**. Use "P" for expenditures for stamps, postage, United Parcel Service, Federal Express and direct mail services (postage only). Use "L" for design and other production costs associated with producing campaign literature.
- "F" **FUNDRAISING EVENTS**. Use "F" for expenditures associated with holding a fundraiser, including payments to restaurants, hotels, caterers, other food and refreshment vendors, entertainers and speakers. Use "L" for expenditures for printed matter produced in connection with fundraising events.
- "S" **SURVEYS AND POLLS**. Use "S" for expenditures associated with designing or producing polls, reports on election trends, voter surveys, telemarketing, telephone banks, GOTV drives, etc.
- "T" **TRAVEL, ACCOMMODATIONS, MEALS**. Use "T" for expenditures associated with travel. If vendor has been paid directly, identify the traveller in Description column. If travel payment was made to credit card company or traveller (for out-of-pocket expenses), itemize expenses on separate sheet and attach to Sch. A-s/l.
- "M" **MANAGEMENT AND CONSULTING SERVICES**. Use "M" for salaries, fees and commissions paid to campaign management companies and contract consultants, including law firms, whether the person is retained or formally employed by the campaign (for tax withholding purposes).
- "W" **WAGES, SALARIES, BENEFITS**. Use "W" for expenditures associated with hiring campaign employees and other freelance workers who provide miscellaneous services other than campaign management or consulting.
- "G" **GENERAL OPERATION AND OVERHEAD**. Use "G" for general campaign operating expenses and overhead, including filing fees, miscellaneous campaign expenses, headquarters rental, utilities, and purchase or rental of office equipment and furniture. (Note: these are campaign-related expenses, not costs associated with holding public office.)

[Statutory Authority: RCW 42.17.370. 92-18-002, § 390-16-041, filed 8/20/92, effective 9/20/92; 92-05-080, § 390-16-041, filed 2/18/92, effective 3/20/92; 91-22-033, § 390-16-041, filed 10/30/91, effective 11/30/91; 90-16-083, § 390-16-041, filed 7/31/90, effective 8/31/90; 89-20-068, § 390-16-041, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-16-041, filed 3/26/86; 86-04-071 (Order 86-01), § 390-16-041, filed 2/5/86; 84-05-018 (Order 84-01), § 390-16-041, filed 2/10/84; 82-11-026 (Order 82-03), § 390-16-041, filed 5/10/82; 82-02-007 (Order 81-04), § 390-16-041, filed 12/28/81; Order 91, § 390-16-041, filed 7/22/77; Order 62, § 390-16-041, filed 8/26/75; Order 60, § 390-16-041, filed 7/16/75.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-16-042 Contingent liabilities—Reporting.

A contractual contingent liability (e.g., an additional fee to be paid to a political consultant or other person whose services are used by a candidate who wins the election) is reportable as a debt or obligation on Form C-4, Schedule B, from the time the contract is entered into until the liability is voided, paid or otherwise satisfied.

[Statutory Authority: RCW 42.17.370. 89-20-068, § 390-16-042, filed 10/4/89, effective 11/4/89.]

WAC 390-16-050 Forms for contributions and expenditures of political committees not domiciled in Washington state. The official form for the report of contributions and expenditures of political committees not domiciled in Washington state or otherwise not required to report is designated "C-5," revised 1/90. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8 1/2" x 11" white paper.



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
 403 EVERGREEN PLAZA—FJ-42
 OLYMPIA, WASHINGTON 98504-3342
 PHONE: 206-753-1111

FORM C5 1/90	PDC OFFICE USE P M A R K R E C E I V E D
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OUT OF STATE OR FEDERAL COMMITTEE CONTRIBUTION TO WASHINGTON CANDIDATES OR COMMITTEES

1. Name and address of committee making contribution _____

2. Check appropriate box

This is the first report submitted during 19____

This shows new expenditures, contributions or information changed from reports submitted previously this calendar year.

3. Explain briefly the purpose or affiliation of the committee. (e.g., A PAC of employees of XYZ Trade Assn., or the candidates committee of US Senator John Doe, or a PAC of members of the United Worker's Union.) _____

4. Officers or responsible leaders of committee

Name and address	Title

5. Candidate contributions: List each Washington candidate for state or local office to whom you have made a contribution of more than \$50.00

Candidate's name	Office sought	Political party	Date	Amount given

6. Ballot measure committee contributions: List each Washington committee supporting or opposing a ballot measure to whom you have made a contribution of more than \$50.00.

Committee name and address	Ballot number	For or against?	Date	Amount given

7. Other contributions and expenditures: List each other contribution or expenditure of more than \$50.00 made to or on behalf of any Washington state or local candidate, ballot measure or political committee.

Recipient's name and address	Purpose	Date	Amount

Check here if continued on attached sheet _____

8. Total contributions and expenditures (Add parts 5, 6, 7) _____

CAUTION: Failure to report transactions within ten days will cause the funds to be forfeit to the state.

9. **Contributions received from Washington residents:** List all contributions of more than \$25.00 in aggregate to this out of state, federal or other committee during the current calendar year from Washington residents or corporations with a place of business in Washington.

Name and address	Date	Amount

Check here if continued on attached sheet.

10. CERTIFICATION: I certify the information contained in this report is true and correct to the best of my knowledge.

INSTRUCTIONS

(Statutory reference: RCW 42.17.090 (1)(K))

WHO MUST REPORT

A political committee not domiciled in the State of Washington, a federal committee or other committee not required to register under Washington law, which has made contributions to a state or local candidate or political committee in Washington state.

Signature of committee official or person filing report

WHEN TO REPORT

Within 10 days after making each contribution.

Note: Subsequent reports may be by letter updating or amending information previously reported.

Name

Title

Date

SEND REPORT TO

Public Disclosure Commission
403 Evergreen Plaza, FJ-42
Olympia, WA 98504-3342

**BE SURE TO NOTIFY
EACH CANDIDATE
AND COMMITTEE
THAT YOU HAVE
FILED THIS REPORT**

VIOLATIONS AND PENALTIES

It is a violation of law for any person to make, or for any candidate or political committee to accept from any one person, contributions in the aggregate exceeding \$50,000 for any campaign for state-wide office or \$5,000 for any other campaign within 21 days of a general election.

Failure to report contributions and file the information required by this report within 10 days after the Washington candidate or committee receives the funds will cause the funds to be forfeited to the state.

FOR ADDITIONAL INFORMATION

Contact the Public Disclosure Commission at (206) 753-1111.

[Statutory Authority: RCW 42.17.370. 89-20-068, § 390-16-050, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-050, filed 2/5/86; 82-11-026 (Order 82-03), § 390-16-050, filed 5/10/82; Order 77, § 390-16-050, filed 6/2/76; Order 62, § 390-16-050, filed 8/26/75; Order 6, § 390-16-050, filed 3/23/73.]

WAC 390-16-055 Filing reports for nonreporting committees. (1) Each candidate or political committee receiving funds from a nonreporting committee as described in RCW 42.17.090 (1)(k), shall determine whether such committee has complied with that subsection. If the nonreporting committee has not filed the required report the funds shall not be forfeited or reportable as having been received if they are returned to the nonreporting committee within three business days after receipt. Any retention or other action taken with such funds, if there is not a complete and timely report on file, shall result in the forfeiture of such funds to the state of Washington and shall be deemed a violation of chapter 42.17 RCW.

(2) Any subsequent report by a nonreporting committee of its contributions which is required by RCW 42.17.090 (1)(k) during the same calendar year may update its initial report by letter showing, in addition to its name and address, only reportable information which is new or changed since its last report.

[Statutory Authority: RCW 42.17.370. 89-20-068, § 390-16-055, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1). 86-04-071 (Order 86-01), § 390-16-055, filed 2/5/86; 82-14-016 (Order 82-04), § 390-16-055, filed 6/28/82; 79-09-041 (Order 79-04), § 390-16-055, filed 8/17/79; Order 62, § 390-16-055, filed 8/26/75; Order 29, § 390-16-055, filed 5/27/74.]

WAC 390-16-060 Forms for report of independent expenditures. The official form for reports of independent expenditures as required by RCW 42.17.100 is designated "C-6," revised 1/90. Copies of this form [are available] [may be obtained] at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8 1/2" x 11" white paper.



STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA—FJ-42
OLYMPIA, WASHINGTON 98504-3342
PHONE: 206-753-1111

FORM
C6
1/80

THIS SPACE FOR OFFICE USE
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INDEPENDENT CAMPAIGN EXPENDITURES
\$100.00 OR MORE

Name and address of person making expenditure
2. Check appropriate box
One time report, I do not expect to make other independent expenditures.
I do expect to make other independent expenditures (See instructions)
Final report.

Name of candidate or ballot proposition supported or opposed: check support or oppose

a. List the value of all independent expenditures made if aggregate is \$100 or more. Itemize expenditures of more than \$50 made in support or in opposition to any candidate or ballot proposition during an election campaign. Do not include monetary or in-kind contributions made directly to a candidate or political committee.

Table with 4 columns: Date, Name and address of vendor or recipient, Description of expenditure (goods, services, or rights purchased or furnished), Amount or value (*see below). Includes summary rows for 'Total this report period' and 'Total independent expenditures made during this election campaign'.

INSTRUCTIONS

WHO MUST REPORT: Persons who make expenditures aggregating \$100 or more during any election campaign in support of or opposition to a candidate or ballot proposition if not made directly to or in coordination with the candidate or a political committee.
WHEN TO REPORT: When aggregate amount reaches:
less than \$100 --No report is required
\$100 or more (or value cannot be estimated) --Within 5 days
If additional expenditures made --* 10th of month preceding election in which other reports are not required,
*21 days prior to election
* 7 days prior to election
* 10th day of month after election
*Required only when expenditures have been made since last report was submitted.
WHERE TO REPORT:
Copy # 1—Public Disclosure Commission, 403 Evergreen Plaza—FJ-42 Olympia, WA 98504
Copy # 2—County Elections Officer of candidate. For ballot propositions with County Elections Officer of person filing this report.

AMOUNT OR VALUE

*If no reasonable estimate can be made of value, describe activity, services, property or right furnished precisely and attach copy of item produced or distributed.

CERTIFICATION: I hereby certify that the above is true, complete and correct to the best of my knowledge.

Signature of person making expenditures
Name
Title Date

[Statutory Authority: RCW 42.17.370, 89-20-068, § 390-16-060, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-060, filed 2/5/86; 82-11-026 (Order 82-03), § 390-16-060, filed 5/10/82; Order 77, § 390-16-060, filed 6/2/76; Order 62, § 390-16-060, filed 8/26/75; Order 6, § 390-16-060, filed 3/23/73.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-16-105 Abbreviated campaign reporting—Eligibility. (1) No candidate and no political committee, as those terms are defined in RCW 42.17.020, shall be required to comply with the provisions of RCW 42.17.060 - 42.17.090 except as otherwise prescribed in WAC 390-16-038, 390-16-115, 390-16-120 and 390-16-125 when neither the aggregate contributions nor the aggregate expenditures exceed two thousand dollars and no contribution or contributions from any source other than the candidate's personal resources within such aggregate exceeds two hundred dollars.

(2) No continuing committee as that term is defined in RCW 42.17.020, shall be required to comply with the provisions of RCW 42.17.060 through 42.17.090 except as otherwise prescribed in WAC 390-16-038, 390-16-115, 390-16-120 and 390-16-125 when neither the aggregate contributions nor the aggregate expenditures during a calendar year exceed two thousand dollars and no contributions or contributions from any person exceed two hundred dollars.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-105, filed 2/5/86; Order 91, 390-16-105, filed 7/22/77; Order 62, § 390-16-105, filed 8/26/75.]

WAC 390-16-111 Abbreviated campaign reporting—Special fund raising events. The term "any person" as used in WAC 390-16-105 does not mean a fund raising activity conducted pursuant to RCW 42.17.067. Candidates and committees using abbreviated reporting as provided in chapter 390-16 WAC shall not be limited to receiving two hundred dollars from a fund raising event provided that the payments from any person do not exceed two hundred dollars from all fund raising events conducted during a campaign or calendar year.

[Statutory Authority: RCW 42.17.370, 89-20-068, § 390-16-111, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-111, filed 2/5/86; Order 77, § 390-16-111, filed 6/2/76.]

WAC 390-16-115 Abbreviated campaign reporting—Conditions for granting use. The exemptions allowed in WAC 390-16-105 shall be granted to a candidate or political committee only upon compliance with the following conditions.

(1) The candidate or political committee must, within fourteen days of the time of organization, or of receipt of contributions or the making of expenditures, or of reservation of space or facilities with intent to promote or oppose a candidacy for office or with intent to promote or oppose a ballot proposition, whichever comes first, file the C-1 or C-1pc registration statement with the commission and the county elections office. The statement shall declare that the candidate or political committee will not exceed the expenditure limits set out in WAC 390-16-105.

(2) The candidate or political committee must, throughout the ensuing election campaign, keep current records in sufficient detail to allow the candidate or political committee to make reports otherwise required by RCW 42.17.040 through 42.17.090 in the event that the filing of such reports becomes necessary as a result of exceeding the contribution and expenditure limitation, pursuant to subsequent permission of the commission.

(3) The candidate or political committee treasurer shall, during the eight days immediately preceding the date of the election, maintain records of contributions and expenditures current within one business day. These records shall be open for public inspection during the hours designated on the registration statement at the principal campaign headquarters or, if there is no campaign headquarters, at the address of the campaign treasurer or such other place as may be authorized by the commission.

(4) The records of contributions and expenditures shall be open to audit or examination by representatives of the public disclosure commission at any time upon request from the commission.

[Statutory Authority: RCW 42.17.370, 89-20-068, § 390-16-115, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-115, filed 2/5/86; 82-14-016 (Order 82-04), § 390-16-115, filed 6/28/82; Order 62, § 390-16-115, filed 8/26/75.]

WAC 390-16-120 Abbreviated campaign reporting—Times and place for filing reports C-1, C-1pc and C-4abb. (1) The report C-1 or C-1pc shall be filed by any candidate or political committee intending to use the abbreviated reporting recognized and regulated by WAC 390-16-105 or 390-16-115 within fourteen days of becoming a candidate or organizing a committee.

(2) In the case of a continuing political committee, the C-1pc report shall be filed initially within fourteen days after accepting any contributions or making any expenditures. Thereafter, the C-1pc shall be filed each year between January 1 and January 31 for any year in which the committee intends to use the abbreviated reporting system and within ten days of any date a change is made in reportable information. Failure to file a new registration statement during January shall automatically terminate the committee's entitlement to use the abbreviated reporting system until such time as a new C-1pc is filed.

(3) The report Form C-4abb shall be filed by each candidate and political committee by the tenth day of the first month after each election in which there was participation. However, no report shall be required following a primary election unless the candidate is defeated in the primary.

Additionally, in the case of a continuing political committee, the report Form C-4abb shall be filed not later than January 10 summarizing the total contributions received and expenditures made during the preceding calendar year.

(4) The original of each report required by this section shall be filed with the public disclosure commission. A copy shall be filed with the elections officer of the county in which the candidate or committee treasurer resides and a copy shall be retained by the candidate or committee treasurer.

[Statutory Authority: RCW 42.17.370, 90-16-083, § 390-16-120, filed 7/31/90, effective 8/31/90; 89-20-068, § 390-16-120, filed 10/4/89, effective

11/6/89. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-120, filed 2/5/86; 79-08-046 (Order 79-03), § 390-16-120, filed 7/19/79; Order 91, § 390-16-120, filed 7/22/77; Order 62, § 390-16-120, filed 8/26/75.]

WAC 390-16-121 Last minute committees. For purposes of compliance with WAC 390-16-115 and 390-16-120, a political committee organized within the last three weeks before an election and having the expectation of receiving contributions or making expenditures during and for that election, shall file the registration statement within three business days after its organization or when it first has the expectation of receiving contributions or making expenditures in the election campaign.

[Statutory Authority: RCW 42.17.370, 89-20-068, § 390-16-121, filed 10/4/89, effective 11/4/89.]

WAC 390-16-125 Abbreviated campaign reporting—Exceeding limitations. Whenever there is reason to believe that any of the aggregate limitations specified in WAC 390-16-105, 390-16-115, or 390-16-120 will or may be exceeded, the candidate or committee may apply to the commission for authorization to change reporting options.

(1) If the application is made more than thirty days prior to the date of the election, the application will be considered approved without further action by the commission if the person making application submits:

(a) A PDC Form C-1 or C-1pc indicating the intention of using the full reporting system provided by RCW 42.17.040 - 42.17.090;

(b) A PDC Form C-4 with appropriate Schedules disclosing all contributions and expenditures reportable under RCW 42.17.090 for the election campaign or in the case of continuing political committees for the calendar year.

(c) A statement affirming that all known candidates for the office being sought have been notified personally of the application stating the manner and date of such notification. In the case of a ballot proposition, the statement shall affirm that the committee treasurer of all committees identifiable from the records of the county elections officer or public disclosure commission to be opposing or supporting the proposition have been notified personally of the application stating the manner and date of such notification.

(2) If the application is made within thirty days of the date of the election, the application shall be approved only by authorization of the commission executive director.

(a) Prior to such approval being granted, the executive director shall determine that the application contains those documents shown in subsection (1)(a), (b) and (c) above.

(b) The commission staff shall investigate why the applicable requirements were not complied with in the first instance and whether or not the probability of exceeding such limitations was reasonably foreseeable. If the investigation shows that the declaration by the candidate, committee or other person filed under WAC 390-16-115 was made in good faith and that the probability of exceeding such limitations was not reasonably foreseeable, the executive director will approve the reporting option change conditioned upon full future compliance with all applicable requirements of chapter 42.17 RCW.

(3) When one candidate or committee on either side of an election campaign has applied for permission to exceed

the limitations of the exemption under subsection (1) above, all other candidates and/or committees may change reporting options by meeting the requirements of subsection (1)(a), (b), and (c).

(4) Any person who knowingly or negligently causes or permits the limitations specified in these regulations to be exceeded shall be deemed to have violated the applicable provisions of RCW 42.17.040 - 42.17.090.

[Statutory Authority: RCW 42.17.370, 92-18-002, § 390-16-125, filed 8/20/92, effective 9/20/92; 92-05-079, § 390-16-125, filed 2/18/92, effective 3/20/92; 90-16-083, § 390-16-125, filed 7/31/90, effective 8/31/90; 89-20-068, § 390-16-125, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-125, filed 2/5/86; Order 91, § 390-16-125, filed 7/22/77; Order 67, § 390-16-125, filed 1/16/76; Order 62, § 390-16-125, filed 8/26/75.]

WAC 390-16-150 Mini campaign reporting. No candidate as that term is defined in RCW 42.17.020(5) and no political committee whose principal purpose is the support of one candidate and whose organization is known to and countenanced by that candidate (hereafter candidate's committee) shall be required to comply with the provisions of RCW 42.17.060 - 42.17.090 except as otherwise prescribed in this rule in any election campaign for public office in which the aggregate expenditures in the campaign will not exceed the amount of the filing fee provided by law plus a sum not to exceed five hundred dollars.

(1) Any candidate or candidate's committee shall register and file the C-1 registration statement with the commission and county elections officer of the county wherein the candidate resides within fourteen days of the time he publicly announces his candidacy, files for office or the committee is formed, whichever is earliest. The C-1 shall state his intent to use the mini campaign reporting system.

(2) No person except the candidate may contribute more than two hundred dollars to a campaign using the mini reporting option.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-150, filed 2/5/86; 85-15-020 (Order 85-03), § 390-16-150, filed 7/9/85; 82-14-016 (Order 82-04), § 390-16-150, filed 6/28/82; Order 91, § 390-16-150, filed 7/22/77.]

WAC 390-16-155 Mini campaign reporting—Exceeding limitations. (1) Whenever there is reason to believe that the expenditure limits provided in WAC 390-16-150 will be exceeded or that the candidate or candidate's committee will exceed the limitations on contributions and expenditures provided in WAC 390-16-150, the candidate may apply to the commission for authorization to change to the abbreviated reporting option provided in WAC 390-16-105.

(a) The application shall take the form of a new C-1 report indicating the candidate's or candidate committee's intent to report in accordance with the abbreviated reporting system provided in WAC 390-16-105.

(b) The application shall be accompanied by a statement signed by the candidate affirming that all known candidates for the office being sought have been notified personally of the application stating the manner and date of notification.

(c) The application shall be submitted to the commission and duplicate copies of the C-1 report submitted to the

county elections officer of the county where the candidate resides within one day of the time that expenditure limits are exceeded.

(2) The application shall be approved without further commission action.

(3) The candidate shall subsequently comply with the rules for abbreviated campaign finance reporting.

(4) Any candidate desiring to change to the full reporting option will follow the procedures outlined in WAC 390-16-125.

[Statutory Authority: RCW 42.17.370, 90-16-083, § 390-16-155, filed 7/31/90, effective 8/31/90; 89-20-068, § 390-16-155, filed 10/4/89, effective 11/4/89. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-155, filed 2/5/86; 82-14-016 (Order 82-04), § 390-16-155, filed 6/28/82; Order 91, § 390-16-155, filed 7/22/77.]

WAC 390-16-200 Encouraging expenditures to avoid contributions—Result. If a candidate or a political committee advises, counsels or otherwise knowingly encourages any person to make an expenditure which, if made by the candidate or committee would be regulated by RCW 42.17.080 - 42.17.090, for the purpose of avoiding direct contributions or for any other reason, the person making such expenditure shall be considered an agent of the candidate or political committee encouraging the expenditure, and the expenditure shall be considered for all intents and purposes as an expenditure of such candidate or political committee.

[Order 62, § 390-16-200, filed 8/26/75.]

WAC 390-16-205 Expenditures by agents, employees—Reporting. Expenditures made on behalf of a candidate or political committee by any person, agency, firm, organization, etc. employed or retained for the purpose of organizing, directing, managing or assisting the candidate's or committee's efforts shall be deemed expenditures by the candidate or committee. Such expenditures shall be reported by the candidate or committee as if made or incurred by the candidate or committee directly.

[Order 74, § 390-16-205, filed 4/26/76.]

WAC 390-16-206 Ratings and endorsements. (1) Any person making a measurable expenditure of funds to communicate a rating, evaluation, endorsement or recommendation for or against a candidate or ballot proposition (other than news, feature, or editorial comment in a regularly scheduled issue of a printed periodical or broadcast media program) shall report such expenditure including all costs of preparation and distribution in accordance with RCW 42.17.030 through 42.17.100.

(2) A candidate or sponsor of a ballot proposition who, or a political committee which, is the subject of the rating, evaluation, endorsement or recommendation shall not be required to report such expenditure as a contribution unless the candidate, sponsor, committee or an agent thereof advises, counsels or otherwise encourages the person or committee to make the expenditure.

(3) A candidate who is an officer, director, employee or owner of 10 percent or more in any entity which owns or controls any newspaper, magazine, printed periodical, radio station, television station or other medium of mass communi-

cation, and who is provided feature, editorial or advertising space or broadcast time at less than fair market value by the medium with the intent to personally advocate support for his candidacy or to oppose the candidacy of his opponents, must report the fair market value of that space or time as a contribution from the medium. The fair market value shall be the same as that charged for an equal amount of advertising space or time or, if there is no similar space or time, the most expensive advertising space or time sold by the organization.

[Statutory Authority: RCW 42.17.370(1), 86-08-030 (Order 86-02), § 390-16-206, filed 3/26/86; Order 84, § 390-16-206, filed 8/18/76.]

WAC 390-16-207 In-kind contributions and expenditures—Reporting. (1) Whenever a candidate or a political committee makes one or more in-kind expenditures which (i) directly or indirectly, in whole or in part, benefit another identifiable candidate or political committee and (ii) in the aggregate amount to a value of fifty dollars or more in the reporting period, then, for the purpose of complying with the provisions of RCW 42.17.090 (1)(f);

(a) Such candidate or political committee shall identify the candidate or political committee benefited by such expenditure and state the value thereof; and

(b) The candidate or political committee that receives benefit of such expenditure or expenditures shall report a corresponding amount as a contribution received and as an expenditure made by such candidate or political committee.

(2) Whenever a candidate or a political committee makes an in-kind expenditure which supports or opposes more than one candidate or ballot proposition, the person making such expenditure shall identify each candidate or ballot proposition to which such support or opposition is directed and, if the aggregate expenditure amounts to fifty dollars or more, shall state the prorated amount of the expenditure or expenditures properly attributable to each such candidate or ballot proposition.

(3) Whenever a candidate or political committee provides its equipment, property or other facilities owned, retained, leased or controlled by it to another candidate or political committee, the fair market value of the use of such equipment, property or other facilities, if it amounts to fifty dollars or more, shall be reported as follows:

(a) By the candidate or political committee providing the equipment, property or other facilities, by attaching to its Form C-4, Schedule B, a statement setting forth the name of the candidate or political committee benefited and the date, description and value of the in-kind contribution made by it;

(b) By the candidate or political committee benefiting from the use of such equipment, property or other facilities, by reporting the value of such use in its Form C-4, Schedule B, both as a contribution and as an expenditure.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-207, filed 2/5/86; 82-14-016 (Order 82-04), § 390-16-207, filed 6/28/82; Order 79, § 390-16-207, filed 6/25/76.]

WAC 390-16-221 Tangible property—Definition. (1) All contributions received by a political committee or candidate are subject to the requirements of RCW 42.17.095 and 42.17.125 whether or not the committee converts the

contribution to a different form, e.g., the purchase of tangible property from monetary contributions.

(2) For the purpose of this rule, tangible property includes but is not limited to real property and improvements thereto; furniture, office desks, file cabinets, tables and machines, vehicles, printing and duplicating equipment, and computer hardware and software.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-221, filed 2/5/86.]

WAC 390-16-230 Surplus campaign funds—Use in future. (1) If at any time in the future any contribution or expenditure is received by or made from such surplus fund or funds for any purpose which would qualify the holder as a candidate or political committee, it will be presumed the holder of such funds has initiated a new candidacy or committee. Within fourteen days of the day such contribution or expenditure is received or made, such candidate or political committee shall file (a) a final report for the previous campaign as provided in RCW 42.17.080 and 42.17.090 and (b) a statement of organization and initial report for the new campaign as provided by RCW 42.17.040, 42.17.080 and 42.17.090. The surplus fund may be reported as one sum and listed as a contribution identified as "funds from previous campaign," provided that all augmentations to and all expenditures made from the retained surplus fund from the initial date of retention are reported in detail as to source, recipient, purpose, amount and date of each transaction.

(2) A candidate who, or the political committee of a candidate which, retains surplus funds to use for the support or opposition of other candidates or of ballot propositions has established a continuing political committee, and must thereafter report as such.

(3) A political committee formed to support or oppose a particular ballot proposition which retains surplus funds to use in support or opposition of candidates or of other ballot propositions has become a continuing political committee and must thereafter report as such.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-16-230, filed 2/5/86; 82-14-016 (Order 82-04), § 390-16-230, filed 6/28/82; Order 70, § 390-16-230, filed 2/25/76; Order 62, § 390-16-230, filed 8/26/75.]

WAC 390-16-240 Earmarked contributions—Definition and use. (1) Earmarked contributions, as that term is used in RCW 42.17.135, means any contribution given to an intermediary, either a political committee, candidate or third party, with a designation, instruction, or encumbrance, whether direct or indirect, express or implied, oral or written, which is intended to result in or which does result in all or any part of the contribution being made to a certain candidate, state official, or ballot proposition.

(2) The intermediary receiving the earmarked contribution shall notify the candidate or political committee for whose use or benefit the contribution is designated within two working days after receipt of the contribution.

[Statutory Authority: RCW 42.17.370, 91-14-041, § 390-16-240, filed 6/27/91, effective 7/28/91.]

WAC 390-16-308 Identification of source of contribution. Any person who makes a contribution shall inform the candidate or treasurer, at the time the contribution is made, of the true and actual source of funds from which the contribution is made. To identify the source of a contribution received by check or other written instrument in the absence of other information, a candidate or treasurer shall apply the following:

Provided, that in cases where the source of the contribution is known and differs from the guidelines set forth below, the known source of the contribution shall be reported;

Provided further, that contributions made by or through a lobbyist shall identify the true and actual source of the funds for whom the contribution was made.

(1) A contribution drawn upon a single account shall be attributed to the account holder as identified by the name printed on the face of the check or negotiable instrument.

(2) A contribution drawn upon a joint account shall be attributed in equal proportion to each of the account holders as identified by the names printed on the face of the check or negotiable instrument unless the candidate or treasurer is notified in writing that the contribution should be allocated in different proportions.

(3) A contribution made by a sole proprietor or drawn upon the account of a business which is a sole proprietorship shall be attributed to the owner of the business entity.

(4) A contribution drawn upon the account of a partnership shall be attributed to the partnership as a separate entity except that;

Any check drawn upon the partnership account but which is to be paid from the capital account of one or more individual partners shall identify at the time of transmittal to the candidate or treasurer the name(s) of the contributing partner(s) and shall be attributed to the contributing partner(s).

(5) A contribution drawn upon the account of a corporation, union, association or other similar organization shall be attributed to the corporation, union, association or other similar organization as a separate entity except that;

(a) A contribution drawn upon the account of a wholly owned or controlled subsidiary shall identify the name of the parent or controlling corporation and the contribution shall be attributed to the parent or controlling corporation;

(b) A contribution drawn upon the account of a controlled union subdivision shall identify the name of the controlling union and the contribution shall be attributed to the controlling union;

(c) A contribution drawn upon the account of a controlled subdivision of an association or other similar organization shall name the controlling association or other similar organization and the contribution shall be attributed to the controlling association.

(d) A subsidiary, union subdivision or subdivision of an association or other similar organization is "controlled" by another entity if it does not maintain executive and fiscal independence over its operations and functions as demonstrated by:

(i) Whether the corporation or organization owns a controlling interest in the voting stock or securities of the subsidiary or subdivision;

(ii) Whether the corporation or organization has the authority or ability to direct or participate in the governance of the subsidiary or subdivision through provisions of constitutions, bylaws, contracts or other rules, or through formal or informal practices or procedures;

(iii) Whether the corporation or organization has the authority or ability to hire, appoint, demote or otherwise control the officers or other decisionmaking employees or members of the subsidiary or subdivision;

(iv) Whether the corporation or organization has common or overlapping membership with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities;

(v) Whether the corporation or organization has common or overlapping officers or employees with the subsidiary or subdivision which indicates a formal or ongoing relationship between the two entities;

(vi) Whether the corporation or organization provides funds or goods in a significant amount or on an ongoing basis through direct or indirect payments to the subsidiary or subdivision.

(6) Contributions made by political committees established, financed, maintained, or controlled by any corporation, organization, or any other person, including any parent, subsidiary, branch, division, department, or local unit of such person, shall be considered to have been made by a single political committee.

[Statutory Authority: RCW 42.17.370, 91-14-041, § 390-16-308, filed 6/27/91, effective 7/28/91; 90-20-088, § 390-16-308, filed 9/28/90, effective 10/29/90.]

WAC 390-16-310 Limitation on contributions. The limitations on contributions as provided in RCW 42.17.105(8) shall be applied as follows:

(1) The limitation on contributions shall apply to a "candidate" as that term is defined in RCW 42.17.020(5) when the candidate is contributing to his or her own campaign using his or her own personal funds.

(2) The limitations on contributions shall apply separately to the contributions made by each spouse.

(3) Minor children (children under 18 years of age) may make contributions which do not exceed the limitations on contributions if the contribution is properly attributed to the minor child and if;

(a) The decision to contribute is made knowingly and voluntarily by the minor child;

(b) The funds, goods, or services contributed are owned or controlled exclusively by the minor child, such as income earned by the child, the proceeds of a trust for which the child is the beneficiary, or a savings account opened and maintained exclusively in the child's name; and

(c) The contribution is not made from the proceeds of a gift, the purpose of which was to provide funds to be contributed, or is not in any other way controlled by another individual.

(4) Contributions from a business organized as a sole proprietorship and contributions from the owner of the sole proprietorship shall be aggregated for purposes of determining the limitations of contributions under to RCW 42.17.105(8).

(5) The limitations on contributions shall apply separately to the contributions made by a partnership from the contributions made by an individual partner except that;

Contributions made from or charged against the capital account of an individual partner shall be aggregated with the partner's individual contributions for purposes of determining the limitations on contributions under RCW 42.17.105(8).

(6) The limitations on contributions shall apply separately to the contributions made by a corporation, union, association or other similar organization from the contributions made by the subsidiary corporation, or subdivision of the union, association or other similar organization except that;

(a) A contribution from a wholly owned or controlled subsidiary corporation or subdivision of a union, association or other similar organization shall be aggregated with the contributions of the parent or controlling corporation or organization for purposes of determining the limitations on contributions under RCW 42.17.105(8).

(b) A subsidiary, union subdivision or subdivision of an association or other similar organization is "controlled" by another entity, if it does not maintain executive and fiscal independence over its operations and functions as demonstrated by the factors set forth in WAC 390-16-308 (5)(d)(i) through (vi).

(7) The limitation on contributions shall apply separately to political committees except that;

Political committees which are established, financed, maintained or controlled by any corporation, organization or any other person, including any parent, subsidiary, branch, division, department, or local unit of such persons shall be aggregated and considered as having been made by a single political committee for purposes of determining the limitations on contributions under RCW 42.17.105(8).

[Statutory Authority: RCW 42.17.370, 92-05-079, § 390-16-310, filed 2/18/92, effective 3/20/92; 90-20-088, § 390-16-310, filed 9/28/90, effective 10/29/90.]

WAC 390-16-312 Handling contributions of uncertain origin. No contribution shall be deposited by any candidate or treasurer who believes, from the face of the contribution instrument or for any other reason, the contribution was made in a fictitious name, by one person through an agent, relative, political committee, or any other person so as to conceal the source of the contribution or to exceed the contribution limits provided in RCW 42.17.105(8). The candidate or treasurer shall return such contributions within ten calendar days to the original contributor if his or her identity is known. Otherwise, the contribution instrument shall be endorsed and made payable to "Washington state treasurer" and the contribution sent to the public disclosure commission for deposit in the state's general fund.

[Statutory Authority: RCW 42.17.370, 91-14-041, § 390-16-312, filed 6/27/91, effective 7/28/91.]

Chapter 390-18 WAC
POLITICAL ADVERTISING

WAC

390-18-010	Political advertising—Identification of sponsor.
390-18-020	Political advertising—Political party identification.
390-18-030	Political advertising—Exemptions from sponsor identification.
390-18-040	Use of the terms "reelect," "retain," and "return."

WAC 390-18-010 Political advertising—Identification of sponsor. (1) For the purposes of RCW 42.17.510 and this rule, "sponsor" means the candidate, political committee or other person paying for the advertising. If a person acts as an agent for another or is reimbursed by another for the payment, the original source of the payment is the sponsor.

(2) With advertising for which no payment is demanded or for which a cost is not readily ascertainable, the sponsor is the candidate, political committee or person who solicits or arranges for the advertising to be displayed or broadcast.

(3) If more than one person sponsors specific advertising, the identity of each sponsor must be shown. However, if a person contributes in cash or in-kind to a candidate or political committee to assist in paying the cost of advertising, it is unnecessary to include that contributor's name as a sponsor provided the contribution is reported in accordance with applicable provisions of chapter 42.17 RCW.

(4) Printed advertising shall clearly state in an area apart from the body of the text that it has been paid for by the sponsor (Example: (1) Paid for by the XYZ Committee, mailing address, city, state, zip code; (2) Vote For John Doe, paid for by John Doe, mailing address, city, state, zip code). Broadcast advertising shall conform to the requirements of the Federal Communications Commission.

(5)(a) Political advertising consisting of more than one page but intended to be presented as a single item (i.e. 3-page letter with return envelope) must identify the sponsor on the first page of the advertising. Identification on subsequent pages or inserts to the same advertising is not required. Identification on an enclosed return envelope or the envelope in which the advertising is sent is not sufficient.

(b) Political advertising which is a collection of several items relating to more than one candidate or committee and distributed simultaneously must show the respective sponsor on the respective items.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-18-010, filed 7/9/85.]

WAC 390-18-020 Political advertising—Political party identification. (1) In newspaper advertising, brochures, mailings and similar printed advertising, a candidate's political party affiliation must be:

(a) printed in letters no smaller than 10 point bold face type (or 1/8" high if type is not used),

(b) placed in an area apart from the body of text of the advertisement.

(2) On yard signs, bus signs, hand-held signs, banners, bumper strips, posters and similar type advertising, a candidate's political party affiliation must be:

(a) printed in letters no smaller than 60 point type (or 5/8" high if type is not used),

(b) printed in a color which contrasts with the background on which the party affiliation is printed.

(3) The commission shall publish a suggested list of abbreviations or symbols which may be used by candidates and political committees which the commission finds will clearly identify political party affiliation.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-18-020, filed 7/9/85.]

WAC 390-18-030 Political advertising—Exemptions from sponsor identification. (1) The following forms of political advertising need not include the sponsor's name and address because such identification is impractical: Ashtrays, badges and badge holders, balloons, bingo chips, brushes, bumper stickers—size 4" x 15" or smaller, buttons, cigarette lighters, clothes pins, clothing, coasters, combs, cups, earrings, emery boards, envelopes, erasers, frisbees, glasses, golf balls, golf tees, hand-held signs, hats, horns, ice scrapers, inscriptions, key rings, knives, labels, letter openers, magnifying glasses, matchbooks, nail clippers, nail files, newspaper ads of one column inch or less, noisemakers, paper and plastic cups, paper and plastic plates, paper weights, pencils, pendants, pennants, pens, pinwheels, plastic tableware, pocket protectors, pot holders, reader boards where message is affixed in moveable letters, ribbons, 12-inch or shorter rulers, shoe horns, skywriting, staple removers, stickers—size 2-3/4" x 1" or smaller, sunglasses, sun visors, swizzle sticks, state or local voters pamphlets published pursuant to law, tickets to fund raisers, water towers, whistles, yard signs—size 4' x 8' or smaller, yo-yos, and all other similar items.

[Statutory Authority: RCW 42.17.370(1). 85-15-020 (Order 85-03), § 390-18-030, filed 7/9/85.]

WAC 390-18-040 Use of the terms "reelect," "retain," and "return." (1) The term "reelect" when used in a political advertisement represents that the candidate is presently holding the office being sought, was elected to it, and is seeking another term in that same office in the same district or political subdivision.

(2) The term "reelect" may be used in a political advertisement by a nonincumbent candidate who has previously been elected to the office being sought provided that in the same advertisement it is clearly stated that the candidate is not the incumbent.

(3) The term "retain" in a political advertisement represents that the candidate is the incumbent but does not [represent] [imply] that the candidate attained the office by election.

(4) The term "return" in a political advertisement represents that the candidate now holds, or has previously held, the office being sought, but does not represent that the office was attained by election.

(5) Whenever the boundaries of a district or political subdivision are officially altered through redistricting, consolidation or other official procedures, the candidate holding an office in the affected district or political subdivision may, in a political advertisement, use the term "reelect," "retain" or "return," as appropriate, if the candidate is seeking the same office in the revised district or political subdivision.

(6) Stating the office sought (e.g., "mayor") by a candidate in a political advertisement without expressly stating the candidate is seeking election to the office (e.g., "for mayor"; "Elect Smith Mayor") represents that the candidate presently holds that office.

[Statutory Authority: RCW 42.17.370. 92-12-037, § 390-18-040, filed 5/29/92, effective 6/29/92. Statutory Authority: RCW 42.17.370(1). 88-14-064 (Order 88-02), § 390-18-040, filed 7/1/88; 86-12-059 (Order 86-03), § 390-18-040, filed 6/3/86.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

Chapter 390-20 WAC

FORMS FOR LOBBYING REPORTS, ELECTED OFFICIALS AND LEGISLATORS

WAC

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| <p>390-20-0101 Forms for lobbyist registration.</p> <p>390-20-013 Lobbyist registration—Photograph—Requirements.</p> <p>390-20-014 Registration during last calendar quarter of the biennial registration period.</p> <p>390-20-015 Lobbyists registration—Termination.</p> <p>390-20-017 Suspension of registration.</p> <p>390-20-018 Lobbyist voluntary registration.</p> <p>390-20-020 Forms for lobbyist report of expenditures.</p> <p>390-20-023 Contributions to candidates, elected officials, political committees, or public office fund—Identification of source.</p> <p>390-20-024 Lobbyist nonreportable expenses.</p> <p>390-20-025 Lobbyists expenditures—Apportionment of expenses.</p> <p>390-20-026 Definition of term "other expenses."</p> <p>390-20-027 Definition—State elected official, candidate for state office.</p> <p>390-20-052 Application of RCW 42.17.190—Reports of agency lobbying.</p> <p>390-20-054 Agency lobbying—Reporting of lobbying by independent contractors.</p> <p>390-20-100 Effect of Public Disclosure Act—Freedom of communication—Employer interference.</p> <p>390-20-105 Lobbyist's employer—Meaning—Examples.</p> <p>390-20-107 Lobbyist's employer—Reporting of "total expenditures."</p> <p>390-20-110 Forms for lobbyist employer's report.</p> <p>390-20-111 Form for lobbyist employers report of political contributions.</p> <p>390-20-115 Forms for report of legislative activity by legislators and legislative committees.</p> <p>390-20-120 Forms for report of legislative activity by public agencies.</p> <p>390-20-125 Forms for registration and reporting by sponsors of grass roots lobbying campaigns.</p> <p>390-20-130 Forms for statement of employment of legislators, state officers, and state employees.</p> <p>390-20-140 Loss of RCW 42.17.160 exemptions.</p> <p>390-20-141 Registration and reporting required when a lobbyist employs another lobbyist.</p> <p>390-20-143 Application of lobbying provisions to organizations.</p> <p>390-20-144 Registration and reporting by lobbyist organizations.</p> <p>390-20-145 Reporting of lobbying events.</p> | <p>390-20-022 Definition—Development. [Statutory Authority: RCW 42.17.370(1). 88-06-019 (Resolution No. 88-01), § 390-20-022, filed 2/24/88.] Repealed by 90-16-083, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370.</p> <p>390-20-028 Definition of terms "communicate," "communication," "communicating," and "legislation." [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-028, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-030 Forms for lobbyist registration—For statement of compensation paid to elected officials. [Order 45, § 390-20-030, filed 9/26/74; Order 9, § 390-20-030, filed 4/24/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-040 Forms—For report of legislative activity by legislators and legislative committees. [Order 45, § 390-20-040, filed 9/26/74; Order 5, § 390-20-040, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-050 Forms—For report of legislative activity by public agencies. [Statutory Authority: RCW 42.17.370(1). 79-11-124 (Order 79-07), § 390-20-050, filed 11/6/79; Order 43, § 390-20-050, filed 9/26/74; Order 5, § 390-20-050, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-051 Application of RCW 42.17.190 to lobbying of the legislature and governor. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-051, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-053 Application of RCW 42.17.190 to lobbying of other agencies. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-053, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-055 Application of RCW 42.17.190 to intra-agency activity. [Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-055, filed 7/24/78.] Repealed by 80-02-055 (Order 80-01), filed 1/17/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-060 Forms—For registration and reporting by sponsors of grass roots lobbying campaigns. [Order 43, § 390-20-060, filed 9/26/74; Order 5, § 390-20-060, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-070 Forms—For statement of employment of legislators, state officers, and state employees. [Order 43, § 390-20-070, filed 9/26/74; Order 5, § 390-20-070, filed 3/2/73.] Repealed by 80-02-106 (Order 80-02), filed 1/24/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-080 Lobbyists—Termination of registration. [Order 49, § 390-20-080, filed 3/3/75.] Repealed by 80-03-089 (Order 80-03), filed 3/4/80. Statutory Authority: RCW 42.17.370(1).</p> <p>390-20-085 Lobbyists expenditures—Apportionment of expenses. [Order 49, § 390-20-085, filed 3/3/75.] Repealed by 80-06-119 (Order 80-06), filed 5/30/80. Statutory Authority: RCW 42.17.370(1).</p> |
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WAC 390-20-0101 Forms for lobbyist registration. The official form for lobbyist registration as required by RCW 42.17.150 is designated "L-1," revised 3/91. Copies of this form are available at the commission office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 390-20-010 Forms for lobbyist registration. [Order 62, § 390-20-010, filed 8/26/75; Order 45, § 390-20-010, filed 9/26/74; Order 6, § 390-20-010, filed 1/23/73.] Repealed by 78-02-063 (Order 96), filed 1/23/78. Statutory Authority: RCW 42.17.370(1).



LOBBYIST REGISTRATION

THIS SPACE FOR OFFICE USE

L1

1. LOBBYIST NAME

PERMANENT BUSINESS ADDRESS

CITY STATE ZIP

2. TEMPORARY THURSTON COUNTY ADDRESS DURING LEGISLATIVE SESSION

TELEPHONE PERMANENT: TEMPORARY:

3. EMPLOYER'S NAME AND ADDRESS (PERSON OR GROUP FOR WHICH YOU LOBBY)

EMPLOYER'S OCCUPATION, BUSINESS OR DESCRIPTION OF PURPOSE OF ORGANIZATION

4. NAME AND ADDRESS OF PERSON HAVING CUSTODY OF ACCOUNTS, RECEIPTS, BOOKS OR OTHER DOCUMENTS WHICH SUBSTANTIATE LOBBYIST REPORTS.

5. WHAT IS YOUR PAY (COMPENSATION) FOR LOBBYING?

\$ _____ PER _____ (Hour, Day, Month, Year)

OTHER: EXPLAIN

DESCRIPTION OF EMPLOYMENT (CHECK ONE OR MORE BOXES)

FULL TIME EMPLOYEE SOLE DUTY IS LOBBYING

PART TIME OR TEMPORARY EMPLOYEE LOBBYING IS ONLY A PART OF OTHER DUTIES

CONTRACTOR, RETAINER OR SIMILAR AGREEMENT

UNSALARIED OFFICER OR MEMBER OF GROUP

6. ARE YOU REIMBURSED FOR LOBBYING EXPENSES? EXPLAIN WHICH EXPENSES.

YES: \$ _____ PER _____

YES: I AM REIMBURSED FOR EXPENSES.

NO: I AM NOT REIMBURSED FOR EXPENSES.

DOES EMPLOYER PAY ANY OF YOUR LOBBYING EXPENSES DIRECTLY? IF YES, EXPLAIN WHICH ONES.

7. HOW LONG DO YOU EXPECT TO LOBBY FOR THIS ORGANIZATION?

PERMANENT LOBBYIST ONLY DURING LEGISLATIVE SESSION OTHER, EXPLAIN:

8. IF ANY PART OF YOUR COMPENSATION IS CONTINGENT ON THE SUCCESS OF AN ATTEMPT TO INFLUENCE LEGISLATION, ATTACH AN EXPLANATION FULLY DESCRIBING THE AGREEMENT, ARRANGEMENT OR UNDERSTANDING.

NO YES. EXPLANATION ATTACHED

9. IS YOUR EMPLOYER A BUSINESS OR TRADE ASSOCIATION OR SIMILAR ORGANIZATION WHICH LOBBIES ON BEHALF OF ITS MEMBERS? IF "YES", ATTACH A LIST SHOWING THE NAME AND ADDRESS OF EACH MEMBER WHO HAS PAID THE ASSOCIATION FEES, DUES OR OTHER PAYMENTS OVER \$500 DURING EITHER OF THE PAST TWO YEARS OR IS EXPECTED TO PAY OVER \$500 THIS YEAR.

NO

YES. THE LIST IS ATTACHED

10. DOES YOUR EMPLOYER HAVE A CONNECTED, RELATED OR CLOSELY AFFILIATED POLITICAL ACTION COMMITTEE WHICH WILL PROVIDE FUNDS FOR YOU TO MAKE POLITICAL CONTRIBUTIONS INCLUDING PURCHASE TICKETS TO FUND RAISING EVENTS? IF SO, LIST THE NAME OF THAT POLITICAL ACTION COMMITTEE.

NO

YES. NAME OF THE COMMITTEE IS:

11. IF LOBBYIST IS A COMPANY, PARTNERSHIP OR SIMILAR BUSINESS ENTITY WHICH EMPLOYS OTHERS TO PERFORM ACTUAL LOBBYING DUTIES, LIST NAME OF EACH PERSON WHO WILL LOBBY. (SEE WAC 390-20-143 AND 144 FOR INSTRUCTIONS.)

2. AREAS OF INTEREST. LOBBYING IS MOST FREQUENT BEFORE LEGISLATIVE COMMITTEE MEMBERS OR STATE AGENCIES CONCERNED WITH FOLLOWING SUBJECTS:		REMARKS
CODE	SUBJECT	
01	<input type="checkbox"/> Agriculture	
02	<input type="checkbox"/> Business and Consumer Affairs	
03	<input type="checkbox"/> Constitutions and Elections	
04	<input type="checkbox"/> Education	
05	<input type="checkbox"/> Energy and Utilities	
06	<input type="checkbox"/> Environmental Affairs—Natural Resources—Parks	
07	<input type="checkbox"/> Financial Institutions and Insurance	
08	<input type="checkbox"/> Fiscal	
09	<input type="checkbox"/> Higher Education	
10	<input type="checkbox"/> Human Services	
11	<input type="checkbox"/> Labor	
12	<input type="checkbox"/> Law and Justice	
13	<input type="checkbox"/> Local Government	
14	<input type="checkbox"/> State Government	
15	<input type="checkbox"/> Transportation	
16	<input type="checkbox"/> Other—specify	

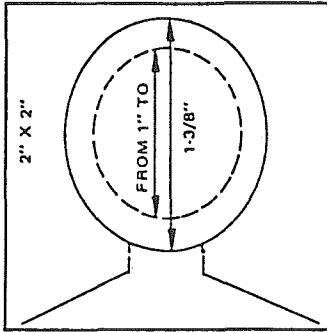
CERTIFICATION: I HEREBY CERTIFY THAT THE ABOVE IS A TRUE, COMPLETE AND CORRECT STATEMENT.

EMPLOYER'S AUTHORIZATION: CONFIRMING THE EMPLOYMENT AUTHORITY TO LOBBY DESCRIBED IN THIS REGISTRATION STATEMENT.

3. LOBBYIST'S SIGNATURE DATE

EMPLOYER'S SIGNATURE, NAME TYPED OR PRINTED AND TITLE DATE

LOBBYIST IDENTIFICATION FORM



NAME:
BUSINESS ADDRESS:

PHONE:

OLYMPIA ADDRESS:

PHONE:

EMPLOYERS' NAMES:

YEAR FIRST EMPLOYED AS A LOBBYIST:
BIOGRAPHY:

INSTRUCTIONS

ATTACH THIS PAGE TO YOUR L-1 REGISTRATION.

ATTACH 2" x 2" PASSPORT TYPE, BLACK AND WHITE PHOTO. PHOTO SHOULD BE HEAD AND SHOULDERS, FULL FACE, AND TAKEN WITHIN LAST 12 MONTHS.

PLEASE WRITE, LIGHTLY IN PENCIL, NAME ON BACK OF PHOTO BEFORE ATTACHING.

PHOTOS WILL NOT BE RETURNED.

PLEASE SEE INSTRUCTION BOOKLET FOR EXAMPLE OF BIOGRAPHY. LIST ALL EMPLOYERS ON THIS PAGE IF YOU HAVE MORE THAN ONE EMPLOYER. IF YOU LATER ADD ADDITIONAL EMPLOYERS, PDC WILL INCLUDE THEM FOR YOU.

PLEASE USE TYPEWRITER TO COMPLETE THIS PAGE.

[Statutory Authority: RCW 42.17.370. 91-09-021, § 390-20-0101, filed 4/10/91, effective 5/11/91. Statutory Authority: RCW 42.17.370(1). 87-05-001 (Order 87-01), § 390-20-0101, filed 2/5/87; 85-24-020 (Order 85-05), § 390-20-0101, filed 11/26/85; 82-21-020 (Order 82-07), § 390-20-0101, filed 10/12/82; 78-02-063 (Order 96), § 390-20-0101, filed 1/23/78.]

WAC 390-20-013 Lobbyist registration—Photograph—Requirements. The photograph to be submitted by a registering lobbyist shall satisfy the requirements of a photo acceptable for a United States passport. The photograph shall have been taken within twelve months of the date of registration.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-013, filed 11/26/85; 82-14-016 (Order 82-04), § 390-20-013, filed 6/28/82.]

WAC 390-20-014 Registration during last calendar quarter of the biennial registration period. (1) A lobbyist who registers during the last calendar quarter of an even-numbered year may request in writing that the registration be valid until the second Monday of January three years hence.

(2) The lobbyist will be required to file monthly expense reports (PDC Form L-2) for each month in which he/she is registered.

(3) The lobbyist employer shall file the employer's report (PDC Form L-3) for each calendar year or portion thereof in which a lobbyist is registered.

[Statutory Authority: RCW 42.17.370(1). 87-08-025 (Order 87-02), § 390-20-014, filed 3/25/87.]

WAC 390-20-015 Lobbyists registration—Termination. A lobbyist who intends to cease lobbying activity may terminate his registration at any time by filing with the commission a signed statement, consistent with RCW 42.17.150(3) indicating his intention to terminate any further activity as a lobbyist or by so indicating on an L-2 for the month that termination has taken place. A lobbyist who terminates such registration shall file any reports required under the lobbyist reporting provisions for the period during which he was registered as a lobbyist. The employer of any such lobbyist shall not be relieved of any duty to file the report otherwise required by RCW 42.17.180.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-015, filed 11/26/85; Order 62, § 390-20-015, filed 8/26/75.]

WAC 390-20-017 Suspension of registration. A lobbyist by notifying the commission in advance in writing may temporarily suspend his or her registration for any month(s) in which no lobbying will be done, no expenditures will be made for lobbying and no compensation will be received for lobbying.

(a) During the period when the suspension is effective, the commission will not require L-2 Reports to be filed.

(b) The lobbyist may reinstate the registration by notifying the commission in writing. The notification must state the date the reinstatement is to be effective. It must also affirm that information on the original L-1 registration is still correct or include an amended L-1 Form.

(c) Notification under this rule does not suspend or modify the requirement in RCW 42.17.150(4) for a new registration each odd-numbered year.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-017, filed 11/26/85.]

WAC 390-20-018 Lobbyist voluntary registration. A person, exempt from registration under RCW 42.17.160, who voluntarily registers as a lobbyist, shall not be required to file the reports required by RCW 42.17.170.

The employer of any voluntarily registered lobbyist shall not be required to file the reports provided in RCW 42.17.180.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-018, filed 11/26/85.]

WAC 390-20-020 Forms for lobbyist report of expenditures. The official form for the lobbyist report of expenditures is designated "L-2," revised 10/91. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. [Any attachments shall be on 8-1/2" x 11" white paper.]



PDC OFFICE USE

LOBBYIST MONTHLY EXPENSE REPORT

1. Lobbyist Name _____
 Mailing Address _____
 City _____ State _____ Zip + 4 _____

2. This report is for the period _____ (Month) _____ (Year) This report corrects or amends the report for _____ (Month) _____ (Year) Business Telephone () _____

ALL COMPLETE THIS PART			COMPLETE IF YOU HAVE MORE THAN ONE EMPLOYER		
Include all expenditures by lobbyist and lobbyist's employer for or on behalf of the lobbyist incurred during the reporting period			Amount attributed to each employer.		
EXPENSE CATEGORY	TOTAL AMOUNT THIS MONTH All employers plus own expense (Columns a + b + c + d and attached pages)	Amounts paid from lobbyist's own funds, not reimbursed or attributed to an employer. Column A	Employer No. _____ Column B	Employer No. _____ Column C	Employer No. _____ Column D
3. COMPENSATION earned from employer for lobbying this period (salary, wages, retainer)		XXXXXX			
4. PERSONAL EXPENSES for travel, food and refreshments					
5. ENTERTAINMENT, GIFTS, TRAVEL for legislators, state officials, their families (Itemize on reverse—#13)					
6. CONTRIBUTIONS to elected officials, candidates and political committees (Itemize on reverse—#14)					
7. ADVERTISING, PRINTING, INFORMATIONAL LITERATURE					
8. OTHER EXPENSES AND SERVICES (Itemize on reverse—#15)					
9. TOTAL COMPENSATION AND EXPENSES INCURRED THIS MONTH					

(Attach additional page(s) if you lobby for more than three employers.)

10. EMPLOYERS' NAMES
 No. (B) _____
 No. (C) _____
 No. (D) _____

11. Subject matter of proposed legislation or other legislative activity or rulemaking the lobbyist was supporting or opposing. Subject Matter, Issue or Bill No. _____ Legislative Committee or State Agency Considering Matter _____ Employer Represented _____

Information continued on attached pages

Estimate the percentage of your time or lobbying effort devoted to: the Legislature _____% State Agencies _____%.

12. TERMINATION: (COMPLETE THIS ITEM ONLY IF YOU WISH TO TERMINATE YOUR REGISTRATION)
 Date registration ends: _____ Employer's name: _____
 I understand that an L-2 report is required for any month or portion thereof in which I am a registered lobbyist. I also understand that once I have terminated my registration, I must file a new registration report prior to lobbying for that employer in the future. All registrations terminate automatically on the second Monday in January of each odd numbered year.

CERTIFICATION

I certify that this report is a true and complete account of all information attributable directly or indirectly to lobbying activities for the period specified.
 LOBBYIST _____ DATE _____

CONTINUE ON REVERSE SIDE

13. Show all of the following expenditures that were incurred by lobbyist or lobbyist employer(s):
- Entertainment expenditures exceeding \$25 per occasion (including lobbyist's expense) for meals, beverages, tickets, passes, transportation and any travel-related expenses or for other forms of entertainment provided to legislators, state officials, state employees and members of their immediate families.
 - Receptions: If a reception cost more than \$100 per participant, show the pro rata cost of the reception as a gift to state elected officials and state executive officers who attended in space below or on Memo Report.
 - Entertainment Gifts (except receptions): If more than \$50 per occasion was spent on a state elected official (including family) or a state executive officer (including family), itemize the gift, including the amount attributable to the official and family, below or on a Memo Report.
 - Other expenditures exceeding \$50 for gifts benefiting state elected officials, state executive officers and/or members of their immediate families.

Date	Names of all Persons Entertained or Provided Gifts	Description, Place, Etc.	Sponsoring Employer	Amount
N/A	Total gift expense itemized on attached Memo Reports →			

Continued on attached pages.

14. Monetary or in-kind contributions exceeding \$25 to federal, state or local office candidates, committees supporting or opposing these candidates, a legislative caucus fund, an elected official's public office fund, a political party, a political committee supporting or opposing a candidate or ballot measure, or any grass roots lobbying campaign.

Date	Name of Individual or Committee Receiving Benefit	Employer for Whom Contribution was Made	Amount

If contributions were made by a political action committee associated, affiliated or sponsored by your employer, show name of the PAC below. (Information reported by PAC on C-4 report need not be again included in this L-2 report.)

Continued on attached pages. PAC Name: _____

15. Payments by the lobbyist for other lobbying expenses and services, including payments to subcontract lobbyists, expert witnesses and others retained to provide lobbying services or assistance in lobbying and payments for grass roots lobbying campaigns (except advertising/printing costs listed in Item 7).

Recipient's Name and Address	Employer for Whom Expense was Incurred or Lobbying Done	Amount

Continued on attached page.



MEMO REPORT
(for Lobbyists Reporting Gifts to State Elected Officials
and Officials' Immediate Family Members)

Instructions: This Memo Report may be used by a lobbyist to report gifts given to a state elected official or that official's immediate family members instead of itemizing such gifts in Item 13 of the L-2 Report. Complete a Memo Report for each official to whom one or more gifts were given during the reporting period. Include gifts given to an official's family members on the official's Memo Report.

Attach the original of each completed Memo Report to the L-2. Provide a copy of the Memo Report to the state elected official who received, or whose family members received, the gift(s).

Do not use this Memo Report to disclose campaign contributions, including the purchase of fund raiser tickets.

TO: _____
(State Elected Official)

FROM: _____
(Lobbyist Name)

(Address)

In accordance with RCW 42.17.170(3), please accept this memo as notification that the following gifts were provided to you and/or your immediate family members:

Date	Name of Official/Family Member	Description of Gift	Sponsoring Employer	Value

Lobbyist's Signature Date

This report is for the period _____
(Month) (Year)

This report corrects or amends the report for _____
(Month) (Year)

Business Telephone _____
()

Distribution of Memo Report: Original - to PDC with L-2; Copy - Elected Official Copy - Your Files

[Statutory Authority: RCW 42.17.370, 91-24-011, § 390-20-020, filed 11/22/91, effective 12/23/91; 90-20-088, § 390-20-020, filed 9/28/90, effective 10/29/90. Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-020, filed 11/26/85; 82-21-020 (Order 82-07), § 390-20-020, filed 10/12/82; 80-02-055 (Order 80-01), § 390-20-020, filed 1/17/80; Order 94, § 390-20-020, filed 10/31/77; Order 88, § 390-20-020, filed 12/29/76; Order 62, § 390-20-020, filed 8/26/75; Order 45, § 390-20-020, filed 9/26/74; Order 6, § 390-20-020, filed 3/23/73.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-20-023 Contributions to candidates, elected officials, political committees, or public office fund—Identification of source. If a lobbyist, as an agent for another person, makes a contribution to any candidate, elected official, political committee or public office fund and the existence of such agency and identity of its principal is not apparent on the face of the contribution instrument, the lobbyist shall simultaneously inform the recipient in writing as to the source of such funds and the identity of the principal.

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-023, filed 11/26/85; 79-09-041 (Order 79-04), § 390-20-023, filed 8/17/79.]

WAC 390-20-024 Lobbyist nonreportable expenses. A registered lobbyist who is not compensated for lobbying and, who in advance, informs the commission that the only expenses to be incurred are those exempt from reporting as provided in RCW 42.17.170 (2)(a)(i-iv) shall not be required to file an L-2 report.

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-024, filed 11/26/85.]

WAC 390-20-025 Lobbyists expenditures—Apportionment of expenses. For the purposes of compliance with RCW 42.17.170 (2)(a) requiring reporting of expenditures by lobbyists, a person registered and reporting as a lobbyist need only report those expenditures made or incurred for lobbying.

[Order 62, § 390-20-025, filed 8/26/75.]

WAC 390-20-026 Definition of term "other expenses." The term "other expenses" in RCW 42.17.170 shall be deemed to include only expenses or services paid or incurred or reported in connection with lobbying.

[Order 70, § 390-20-026, filed 2/25/76; Order 62, § 390-20-026, filed 8/26/75.]

WAC 390-20-027 Definition—State elected official, candidate for state office. For the purposes of reporting by employers of registered lobbyists pursuant to RCW 42.17.180, the terms "state elected official" and "candidate for state office" shall include governor, lieutenant governor, attorney general, state auditor, commissioner of public lands, insurance commissioner, secretary of state, superintendent of public instruction, state treasurer, state senator, state representative, justices of the supreme court and judges of the court of appeals.

[Title 390 WAC—p 56]

[Order 71, § 390-20-027, filed 3/23/76.]

WAC 390-20-052 Application of RCW 42.17.190—Reports of agency lobbying. Pursuant to the authority granted in RCW 42.17.190(8), the commission adopts the following interpretations regarding the reporting of lobbying by public agencies pursuant to RCW 42.17.190:

(1) The phrase "in-person lobbying" contained in RCW 42.17.190 (5)(d)(v)(B) includes activity which is intended to influence the passage or defeat of legislation, such as testifying at public hearings, but does not include activity which is not intended to influence legislation, such as attending a hearing merely to monitor or observe testimony and debate.

(2) The phrase "a legislative request" contained in RCW 42.17.190 (5)(d)(ii) includes an oral request from a member of the legislature or its staff.

(3) Pursuant to RCW 42.17.190(6), certain local agencies may elect to have lobbying activity on their behalf reported by their elected officials, officers and employees in the same manner as lobbyists who register and report under RCW 42.17.150 and 42.17.170:

(a) Whenever such a local agency makes such an election, it shall provide the commission with a written notice.

(b) After such an election, those who lobby on behalf of such local agency shall register and report all lobbying activity reportable under RCW 42.17.190(5) in the same manner as lobbyists who are required to register and report under RCW 42.17.150 and 42.17.170. Such a local agency shall report pursuant to RCW 42.17.180.

(c) In order to terminate such an election, such a local agency shall provide the commission with a written notice and it shall report pursuant to RCW 42.17.190(5) thereafter.

(d) The exemptions from reportable lobbying activity contained in RCW 42.17.190 (5)(d) apply to all agencies, whether or not they have exercised the election to report in the same manner as lobbyists who report under RCW 42.17.150, 42.17.170 and 42.17.180. The exemptions contained in RCW 42.17.160 (1), (3) and (4) do not apply to any agency.

(4) Unless an agency has elected to report its lobbying pursuant to RCW 42.17.190(6) and subsection (3) of this section, an agency shall include the reportable lobbying activity on its behalf by an elected official in its quarterly report. Such an elected official does not file any separate report of that activity.

(5) Reportable in-person lobbying by elected officials, officers and employees:

(a) An elected official does not engage in reportable in-person lobbying on behalf of this agency unless and until that elected official has expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more members of the legislature or state elected officials or public officers or employees of the state of Washington during any three-month period as provided in RCW 42.17.190 (5)(d)(v)(B).

(b) Other officers and employees do not engage in reportable in-person lobbying on behalf of their agency unless and until they have, in the aggregate, expended in excess of fifteen dollars of nonpublic funds in connection with such lobbying for or on behalf of any one or more

members of the legislature or state elected officials or public officers or employees of the state of Washington or they have, in the aggregate, engaged in such lobbying for more than four days or parts thereof during any three month period as provided in RCW 42.17.190 (5)(d)(v)(B).

(c) When limits in (a) or (b) of this subsection have been exceeded, the agency shall report such elected official, officer, or employee as a "PERSON WHO LOBBIED THIS QUARTER" on the front of PDC Form L-5 and include a listing of those excess expenditures as noted on that form.

[Statutory Authority: RCW 42.17.370, 91-16-072, § 390-20-052, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-052, filed 11/26/85; 80-02-055 (Order 80-01), § 390-20-052, filed 1/17/80.]

WAC 390-20-054 Agency lobbying—Reporting of lobbying by independent contractors. (1) An independent contractor who is retained to lobby on behalf of an agency shall register and report as a lobbyist pursuant to RCW 42.17.150 and 42.17.170.

(2) An agency which retains an independent contractor as a lobbyist and reports all of its expenditures in connection therewith pursuant to RCW 42.17.190 shall not be obligated to file a report pursuant to RCW 42.17.180 with regard to that lobbyist.

[Statutory Authority: RCW 42.17.370(1), 81-08-025 (Order 81-01), § 390-20-054, filed 3/26/81.]

WAC 390-20-100 Effect of Public Disclosure Act—Freedom of communication—Employer interference. Except as provided by RCW 42.17.150 - 42.17.190, which require certain persons who lobby to register and file periodic reports with the commission, nothing in the Public Disclosure Act shall be deemed to impair or restrict the right of any individual to communicate to any member of the legislature or other legislative enactment of any other state agency, regardless of whether or not such matter as to which he or she communicates also affects, directly or indirectly, the interest of his or her employer: *Provided*, Such activity involves no unauthorized or unlawful use of an employer's time or funds.

Nothing in the act shall be deemed to necessitate or excuse if otherwise unlawful, any instruction, directive or order issues, orally or in writing, by any employer restraining such communication by an employee, or requiring such employee to obtain advance permission from such employer in order to make such communication. Any adverse action taken against such employee for the alleged violation of such instruction, directive or order, contrary to the policies expressed in these rules, which depends or purports to depend upon the provisions of the Public Disclosure Act for its validity, shall be considered unlawful. Any such action, when reported to or discovered by the commission, shall be reported to appropriate enforcement agencies for such civil or criminal action as may be appropriate.

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-100, filed 11/26/85; Order 62, § 390-20-100, filed 8/26/75.]

WAC 390-20-105 Lobbyist's employer—Meaning—Examples. (1) The term "lobbyist's employer" includes every person who engages or utilizes the services of any

other person to lobby, upon an agreement express or implied, for compensation or for other consideration, as that term is defined in WAC 390-05-220. A person is a lobbyist's employer within the meaning of the act when:

(a) Other persons are actually employed by or receive consideration from such person in whole or in part[,] for lobbying;

(b) Officers or [employees] [employers] of such person, lobby for or on behalf of such person, whether such duties are expressed in the corporate or partnership articles or bylaws or other writings of such employer, or in a written or oral contract, or exist by reason of a mutual understanding;

(c) The lobbying services are secured or arranged for through an authorized representative.

(2) A person shall not be deemed to be a lobbyist's employer solely because an employee of such person engages in lobbying.

[Statutory Authority: RCW 42.17.370(1), 88-14-064 (Order 88-02), § 390-20-105, filed 7/1/88; 85-24-020 (Order 85-05), § 390-20-105, filed 11/26/85; Order 62, § 390-20-105, filed 8/26/75.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-20-107 Lobbyist's employer—Reporting of "total expenditures." (1) Consistent with the public policy expressed in RCW 42.17.010 (1) and (10), the obligation in RCW 42.17.180(3) for the employer of a lobbyist to report "total expenditures" for lobbying purposes requires reporting of all payments made to finance a lobbying effort, whether or not reportable by the lobbyist pursuant to RCW 42.17.170.

(2) "Total expenditures" requires inclusion of a pro rata share of general overhead expenditures for lobbying which are attributable to the lobbyist as an employee or whose contract is for activities and services in addition to lobbying. The term also requires reporting of separate, identifiable expenditures such as rental of additional office space, hiring of additional staff and secretarial assistance, specific advertising campaigns, expenditures for lobbyists who are exempt from registration per RCW 42.17.160, specific telephone installations and charges, and other such separate, identifiable expenditures made for the purpose of conducting a lobbying effort.

[Statutory Authority: RCW 42.17.370(1), 82-14-016 (Order 82-04), § 390-20-107, filed 6/28/82.]

WAC 390-20-110 Forms for lobbyist employer's report. The official form for statement by employers of registered lobbyists as required by RCW 42.17.180 is designated "L-3," revised 9/90. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments shall be on 8-1/2" x 11" white paper.

STATE OF WASHINGTON

EMPLOYER'S LOBBYING EXPENSES

DURING CALENDAR YEAR 1990

L3

P D C OFFICER USE

1. EMPLOYER'S NAME (USE COMPLETE COMPANY, ASSOCIATION, UNION OR ENTITY NAME)

MAILING ADDRESS _____ TELEPHONE _____

CITY _____ STATE _____ ZIP _____

THIS REPORT MUST BE FILED BY MARCH 31, 1991. Include expenditures incurred during calendar year 1990 for lobbying the Washington State Legislature and/or any state agency. Complete all sections. If entry is "none" or "0", so indicate.

2. Direct payments to lobbyist(s) for salary, contract, retainer and reimbursement of other lobbying expenses. In the amount listed for each lobbyist, include all contributions and expenses for entertainment, gifts and grass roots lobbying campaigns reported by the lobbyist on the L-2 report.

LOBBYIST NAME (IF TO LOBBY FIRM, LIST FIRM NAME)	AMOUNT	TOTAL AMOUNT

INFORMATION CONTINUED ON ATTACHED PAGE

TOTAL FROM ATTACHED PAGE

TOTAL PAID DIRECTLY TO LOBBYISTS →

When completing Items 3 thru 6 below, DO NOT include expenditures already reported in Item 2 above.

3. Other expenditure made by the employer for lobbying purposes. Include any and all:

- a. Payments to vendors on behalf of or in support of registered lobbyists (i.e., food, lodging, travel, credit card purchases); _____
- b. Payments to or on behalf of expert witnesses or others retained to provide lobbying services who offer specialized knowledge or expertise that assists the employer's lobbying effort; _____
- c. Payments for entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) provided to legislators, state officials, state employees and members of their immediate families; (Also complete Item 8) _____
- d. Payments for the composition, design, production and distribution of informational materials produced primarily for influencing legislation; _____
- e. Payments for grass roots lobbying expenses, including those previously reported by employer on PDC Form L-6, and payments for lobbying communications to clients or customers (other than corporate stockholders and members of an association or organization); _____

4. Political contributions to candidates for state office, including the legislature, to committees supporting or opposing those candidates or to committees supporting or opposing statewide ballot measures. (Also complete Item 9.)

- a. Contributions made directly by the employer, including those previously reported on PDC Form L-3c. _____
- b. If contributions were made by a political action committee associated, affiliated or sponsored by the employer, show name of PAC below. (Information reported by PAC on C-4 report need not be again included as part of this L-3 report.)
Name of PAC _____

5. Payments or expenditures to legislators and state officials and their spouses and dependents for the purpose of influencing, honoring, or benefiting the legislator or official. Do not include payments for goods or services obtained in the normal course of business. (Also complete Item 12.) _____

6. Payments for other expenditures for lobbying, whether through or on behalf of a registered lobbyist or otherwise. Attach list itemizing each expense (i.e., show date, recipient, purpose and amount). Do not show payments included above. _____

TOTAL LOBBYING EXPENSES (Items 2 thru 6) _____

7. This report must be certified by the president, secretary-treasurer or similar officer of employer organization.

<p style="text-align: center;">CERTIFICATION</p> <p>I certify that the information contained in this report is a true, correct and complete statement in accordance with RCW 42.17.100.</p>	<p style="text-align: center;">SIGNATURE OF EMPLOYER _____ DATE _____</p> <p style="text-align: center;">NAME TYPED OR PRINTED _____</p>
--	--

8. Entertainment, gifts, tickets, passes, transportation and travel expenses (including meals, lodging and related expenses) exceeding \$25 in value provided to legislators, state officials, state employees and members of their immediate families.

Name and Title

Cost or Value

Description of Entertainment, Gift or Travel

INFORMATION CONTINUED ON ATTACHED PAGES

9. Contributions made directly by the employer aggregating over \$25 to candidates for state office, the legislature, committees supporting or opposing those candidates or committees supporting or opposing statewide ballot measure. Contributions from an employer-affiliated PAC need not be listed.

Name of Recipient

Amount

INFORMATION CONTINUED ON ATTACHED PAGES

10. COMPENSATION OF \$1,000 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR EMPLOYMENT OR PROFESSIONAL SERVICES PAID TO STATE ELECTED OFFICIALS, SUCCESSFUL CANDIDATES FOR STATE OFFICE AND EACH MEMBER OF THEIR IMMEDIATE FAMILY.

NAME

RELATIONSHIP TO CANDIDATE OR ELECTED OFFICIAL IF MEMBER OF FAMILY.

AMOUNT (CODE)

DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION

DOLLAR CODE AMOUNT
 A - \$1 to \$1,999
 B - \$2,000 to \$9,999
 C - \$10,000 to 19,999
 D - \$20,000 to \$49,999
 E - \$50,000 or more

INFORMATION CONTINUED ON ATTACHED PAGES

11. COMPENSATION OF \$1,000 OR MORE DURING THE PRECEDING CALENDAR YEAR FOR PROFESSIONAL SERVICES PAID TO ANY CORPORATION, PARTNERSHIP, JOINT VENTURE, ASSOCIATION OR OTHER ENTITY IN WHICH A STATE ELECTED OFFICIAL, SUCCESSFUL STATE CANDIDATE OR MEMBER OF THE IMMEDIATE FAMILY HOLDS OFFICE, PARTNERSHIP, DIRECTORSHIP OR OWNERSHIP INTEREST OF 10% OR MORE.

FIRM NAME

PERSON'S NAME

AMOUNT (CODE)

DESCRIPTION OF CONSIDERATION OR SERVICES EXCHANGED FOR COMPENSATION

INFORMATION CONTINUED ON ATTACHED PAGES

12. ANY EXPENDITURE, NOT OTHERWISE REPORTED, MADE DIRECTLY OR INDIRECTLY TO A STATE ELECTED OFFICIAL, SUCCESSFUL CANDIDATE FOR STATE OFFICE OR MEMBER OF THE IMMEDIATE FAMILY, IF MADE TO HONOR, INFLUENCE OR BENEFIT THE PERSON BECAUSE OF HIS OFFICIAL POSITION.

NAME

AMOUNT

PURPOSE

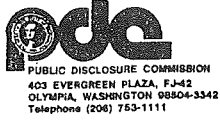
INFORMATION CONTINUED ON ATTACHED PAGES

[Statutory Authority: RCW 42.17.370. 90-22-018, § 390-20-110, filed 10/29/90, effective 11/29/90. Statutory Authority: RCW 42.17.370(1), 87-05-001 (Order 87-01), § 390-20-110, filed 2/5/87; 85-24-020 (Order 85-05), § 390-20-110, filed 11/26/85; 84-05-018 (Order 84-01), § 390-20-110, filed 2/10/84; Order 62, § 390-20-110, filed 8/26/75.]

Reviser's note: Notice of Objection: The Joint Administrative Rules Review Committee finds that WAC 390-20-110 has not been modified, amended, withdrawn, or repealed by the Public Disclosure Commission so as to conform with the intent of the Legislature as expressed in RCW 42.17.170 and 42.17.180. Therefore, pursuant to its authority under RCW 34.04.240, this notice of objection is filed.

The Joint Committee finds that WAC 390-20-110 requires the disclosure of information from lobbyists' employers which RCW 42.17.170 specifically excludes from reporting by lobbyists. It is the opinion of the Joint Committee that the Commission is attempting to obtain information from lobbyists' employers which the Commission would not otherwise be able to obtain from lobbyists themselves. This would thwart the express intent of the Legislature that such information is inappropriate for reporting. WAC 390-20-110 would effectively neuter the reporting exemptions in RCW 42.17.170—the Commission would have the information. This is not what the Legislature intended. [Joint Administrative Rules Review Committee, Memorandum, August 16, 1984—Filed August 28, 1984, WSR 84-18-014.]

WAC 390-20-111 Form for lobbyist employers report of political contributions. The official form entitled "Employer of Lobbyist Monthly Political Contribution Report" as required by RCW 42.17.180 (2)(a) is designated "L-3C." Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington, 98504. Any attachments must be on 8-1/2" x 11" white paper.



EMPLOYER OF LOBBYIST
MONTHLY POLITICAL CONTRIBUTION
REPORT

L-3c
6/90

P
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C

O
F
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C
E

U
S
E

Employer's Name (Use Complete Company, Association, Union or Entity Name)

Mailing Address

City State ZIP

Reporting Period (Month/Year During Which Contribution(s) Occurred)

Who Must File Report: Employers of lobbyists registered in Washington State making one or more contributions, including in-kind contributions, during one calendar month totaling more than \$100 to a candidate for state or local office, an elected state or local official, an officer or employee of any public agency, or a political committee. *Employer contributions made through and reported by a registered lobbyist or an employer-affiliated PAC are not reportable on an L-3c.*

What Must Be Reported: Contributions, including a loan, gift, deposit, subscription, forgiveness of indebtedness, donation, advance, pledge, payment, or transfer of anything of value, including personal and professional services for less than full consideration. Contributions to campaign accounts and public office fund accounts are reportable.

When Is The Report Filed: Within 15 days after the last day of each calendar month during which reportable contributions were made. Reports are considered filed as of the post mark or hand-delivery date to PDC.

Itemize contributions that alone, or together with other contributions to the same recipient, total over \$100 during the calendar month specified above. If space provided is insufficient, use additional L-3c forms or 8 1/2" x 11" white paper.

DATE OF CONTRIBUTION	NAME AND ADDRESS OF RECIPIENT	DESCRIPTION OF CONTRIBUTION*	AMOUNT OR VALUE*

*See reverse for details.

Certification: I certify that the information contained herein is true and complete to the best of my knowledge.

Name and title of person authorized to sign on employer's behalf (type or print)	Signature	Date
--	-----------	------

PDC Form L-3c (6/90)-F

Description of Contribution

Monetary Monetary contributions are those made in cash or by check, money order or other negotiable instrument. If total in amount column represents aggregate total given that recipient during the month (i.e., more than one contribution), indicate the date and amount of each contribution figured into the total.

For contributions given to incumbent candidates and elected officials, indicate whether the contribution is for the recipient's campaign account or public office account.

In-Kind Donated goods or services qualify as reportable contributions. In-kind contributions include such things as discounts on products or services, free transportation, free or reduced-rate office space, personal services, polling services, professional assistance to campaign managers and help with preparation of political advertising.

Amount or Value of Contribution

If the aggregate amount or value contributed to one recipient (candidate, elected official, agency officer or employee, or political committee) during a calendar month was over \$100 -- and the aggregate contribution was not reported by your lobbyist on his/her monthly report or the aggregate contribution was not made through and reported by your affiliated PAC -- put the total contributed in the Amount or Value column and provide the other required information.

In-Kind Value in-kind contributions at the amount you actually paid for the donated item or service or, if no purchase was made, value them at their fair market value. Fair market value is the amount a well-informed buyer or lessee, willing but not obligated to buy or lease, would pay; and what a well-informed seller, or lessor, willing but not obligated to sell or lease, would accept.

[Statutory Authority: RCW 42.17.370. 90-16-083, § 390-20-111, filed 7/31/90, effective 8/31/90.]

WAC 390-20-115 Forms for report of legislative activity by legislators and legislative committees. The official form for report of legislative activity by legislators and legislative committees as required by RCW 42.17.190 is designated "L-4." Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



REPORT OF LEGISLATIVE EMPLOYEES
 TO THE STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
 403 EVERGREEN PLAZA BUILDING
 711 CAPITOL WAY
 OLYMPIA, WASHINGTON 98504
 PHONE: 206-753-1111

FILING FORM L-4 REV. 2/76	TO BE FILED BY: LEGISLATORS, COMMITTEES OF LEGISLATURE (RCW 42.17.190)
--	---

THIS SPACE FOR OFFICE USE	
P.M. DATE	DATE RECVD

See complete instructions at bottom of page. (Type or Print Clearly)

Senate/House Committee or Legislator

DATE PREPARED

REPORT FOR CALENDAR
QUARTER ENDING:

List below or on attached pages persons who were employed during this reporting period for the purpose of aiding in preparation or enactment of legislation or in the performance of legislative duties.

1. EMPLOYEES COMPENSATED BY THE LEGISLATURE

NAME AND ADDRESS	JOB TITLE	LEGISLATOR OR COMMITTEE TO WHICH ASSIGNED	SALARY THIS QUARTER
<input type="checkbox"/> INFORMATION IS INCLUDED ON ATTACHED PAGES.			

2. EMPLOYEES COMPENSATED DIRECTLY BY THE LEGISLATOR OR COMMITTEE OR OTHERWISE COMPENSATED

NAME AND ADDRESS	JOB TITLE	LEGISLATOR OR COMMITTEE OR PERSON PAYING EMPLOYEE	SALARY THIS QUARTER

NAME

CERTIFICATION: I certify that the above is a true, complete and correct statement in accordance with RCW 42.17.190.

SIGNATURE

TITLE

L-4 INSTRUCTIONS

WHO MUST REPORT:

Every legislator and committee of the legislature. The Chief Clerk of the House of Representatives and the Secretary of the Senate may provide consolidated reports in lieu of individual reports from each legislator and committee.

WHEN TO REPORT:

Reports for the preceding calendar quarter are due not later than April 10, July 10, October 10, and January 10. Negative reports are not required.

FORMS TO BE FILED WITH:

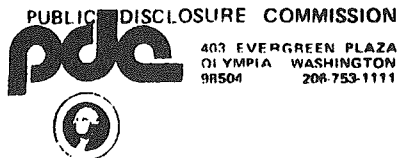
Public Disclosure Commission
403 Evergreen Plaza Building
Olympia, WA 98504

FOR ADDITIONAL INFORMATION:

Consult Chapter 42.17 Revised Code of Washington and Chapter 390-20 Washington Administrative Code or contact Public Disclosure Commission, phone 206-753-1111

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-115, filed 11/26/85; Order 71, § 390-20-115, filed 3/23/76; Order 62, § 390-20-115, filed 8/26/75.]

WAC 390-20-120 Forms for report of legislative activity by public agencies. The official form for the report of legislative activity by public agencies as required by RCW 42.17.190 is designated "L-5," revised 11/79. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



PDC FORM **L-5** **LOBBYING BY STATE AND LOCAL GOVERNMENT AGENCIES**
REV. 11-79

THIS SPACE FOR OFFICE USE

FILE NUMBER	P. M. DATE	DATE RECEIVED
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INSTRUCTIONS ARE PRINTED ON REVERSE

AGENCY OR GOVERNMENTAL ENTITY NAME AND ADDRESS	DATE PREPARED	REPORT FOR CALENDAR QUARTER ENDING	
	COUNTY	MONTH	YEAR

PERSONS WHO LOBBIED THIS QUARTER

NAME	JOB TITLE	ANNUAL SALARY	% OF TIME SPENT LOBBYING DURING QTR.
------	-----------	---------------	--------------------------------------

GENERAL DESCRIPTION OF LOBBYING ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

CHECK IF PERSON SPENT MORE THAN \$15 OF NON-PUBLIC FUNDS IN LOBBYING. SEE INSTRUCTIONS ON REVERSE

NAME	JOB TITLE	ANNUAL SALARY	% OF TIME SPENT LOBBYING DURING QTR.
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GENERAL DESCRIPTION OF LOBBYING ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

CHECK IF PERSON SPENT MORE THAN \$15 OF NON-PUBLIC FUNDS IN LOBBYING. SEE INSTRUCTIONS ON REVERSE

NAME	JOB TITLE	ANNUAL SALARY	% OF TIME SPENT LOBBYING DURING QTR.
------	-----------	---------------	--------------------------------------

GENERAL DESCRIPTION OF LOBBYING ACTIVITIES OR OBJECTIVES. (INCLUDE BILL OR WAC NUMBERS IF ANY)

CHECK IF PERSON SPENT MORE THAN \$15 OF NON-PUBLIC FUNDS IN LOBBYING. SEE INSTRUCTIONS ON REVERSE.

EXPENDITURES FOR LOBBYING THIS QUARTER
REPORT ONLY THE SEPARATELY IDENTIFIABLE AND MEASURABLE EXPENDITURES INCURRED FOR LOBBYING PURPOSES.

SALARIES OF PERSONS WHO LOBBIED (include only portion of quarterly salary attributable to lobbying)	\$
TRAVEL (include food, lodging, per diem payments and cost of transportation used.)	\$
BROCHURES AND OTHER PUBLICATIONS WHOSE PRINCIPAL PURPOSE IS TO INFLUENCE LEGISLATION	\$
CONSULTANTS OR OTHER CONTRACTUAL SERVICES	\$
TOTAL THIS QUARTER	\$
TOTAL TO DATE THIS YEAR	\$

CERTIFICATION: I certify that to the best of my knowledge the above is a true, complete and correct statement in accordance with RCW 42.17.190.

SIGNATURE OF AGENCY HEAD

These instructions apply only to government agencies reporting pursuant to RCW 42.17.190.

Who Should Report?

Each state agency, county, city, town, municipal corporation, quasi-municipal corporation or special purpose district which expends public funds for "lobbying". Please study the definitions of what is and is not included in lobbying to determine if your agency is required to report.

"Lobbying" means attempting to influence the passage or defeat of any legislation by the state legislature or the adoption or rejection of any rule, standard, rate or other legislative enactment by any state agency under chapters 28.19 and 34.04 RCW. "Legislation" means bills, resolutions, motions, amendments, nominations, and other matters pending or proposed in either house of the state legislature, and includes any other matter which may be the subject of action by either house, or any committee of the legislature and all bills and resolutions which having passed both houses, are pending approval by the Governor.

Lobbying Does Not Include

1. Requests for appropriations by a state agency to OFM pursuant to RCW 43.88 or requests by OFM to the legislature for appropriations other than its own agency budget. Note that an agency representative who, in person, contacts a legislator or committee on appropriations matters is lobbying.
2. Recommendations or reports to the legislature in response to a legislative request expressly requesting or directing a specific study, recommendation or report on a particular subject.
3. Official reports including recommendations submitted annually or biennially by a state agency as required by law.
4. Requests, recommendations or other communications between or within state agencies or between or within local agencies.
5. Telephone conversations or preparation of written correspondence.
6. Preparation or adoption of policy positions within an agency or group of agencies. Note that once a position is adopted, further action to advocate it may constitute lobbying.
7. Attempts to influence federal or local legislation.

Lobbying Not Reportable

1. In person lobbying totaling no more than four days or parts of days during any three month period in aggregate for all officials and employees of the agency. In person lobbying includes testifying at legislative committee hearings and state agency hearings on rules and regulations but does not include attendance merely to monitor or observe testimony and debate.
2. In person lobbying by any elected official on behalf of his agency or in connection with his powers, duties or compensation.

Expenditures Over \$15 of Non-public Funds

Any person (including an elected official) who expends more than \$15 of personal or non-public funds for or on behalf of one or more legislators, state elected officials or state public officers or employees in connection with in-person lobbying must be listed on the L-5 report. Attach a page showing the spender's name, and date, the source of funds and amount spent, and for whom the money was spent. Examples of these expenditures include entertainment, dinners and campaign contributions.

Reports Required

The L5 report is submitted to cover each calendar quarter in which lobbying occurs. No report is required if no reportable lobbying has taken place during the quarter.

Due Dates

April 30 (1st quarter)	July 31 (2nd quarter)
October 31 (3rd quarter)	January 31 (4th quarter)

ONE CONSOLIDATED REPORT SHOULD BE SUBMITTED TO INCLUDE LOBBYING ACTIVITIES OF ALL DIVISIONS OR OFFICES OF AN AGENCY.

SEND REPORTS TO: PUBLIC DISCLOSURE COMMISSION
403 EVERGREEN PLAZA MAIL STOP 1J-42
OLYMPIA, WA 98504

Special Note: In lieu of reporting as provided in RCW 42.17.190 any agency or lobbyist for an agency may elect to register and report as provided in RCW 42.17.150, .160, .170 and 180. An agency so choosing must notify PDC of that fact and obtain necessary reporting forms and instructions.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-120, filed 11/26/85; 80-02-106 (Order 80-02), § 390-20-120, filed 1/24/80. Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-08-061 (Order 100), § 390-20-120, filed 7/24/78; Order 94, § 390-20-120, filed 10/31/77; Order 77, § 390-20-120, filed 6/2/76; Order 62, § 390-20-120, filed 8/26/75.]

WAC 390-20-125 Forms for registration and reporting by sponsors of grass roots lobbying campaigns. The official form for registration and reporting by sponsors of grass roots lobbying campaigns as required by RCW 42.17.200 is designated "L-6," revised 6/90. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.

Lobbying Reports

390-20-125



GRASS ROOTS LOBBYING

PDC FORM L-6 (6-90)

PDC OFFICE USE

POST

RECEIVED

SPONSOR'S NAME, ADDRESS, CITY, STATE, ZIP, PHONE

1. DESCRIBE THE TOPIC(S) OR LEGISLATION ABOUT WHICH THE CAMPAIGN IS CONDUCTED. INCLUDE BILL, RULE, RATE, STANDARD NUMBER, IF ANY.

2. THIS REPORT COVERS:

- REGISTRATION (INITIAL REPORT)
MONTHLY REPORT
FINAL REPORT (CAMPAIGN IS ENDED)

3. LIST THE PRINCIPAL OFFICERS OF THE GROUP OR ORGANIZATION IF THE SPONSOR IS A BUSINESS, UNION, ASSOCIATION, POLITICAL ORGANIZATION OR OTHER ENTITY.

NAME, TITLE, ADDRESS

4. WHO IS ORGANIZING OR MANAGING THE CAMPAIGN? LIST PERSONS OR FIRMS HIRED TO ASSIST IN THE CAMPAIGN, INCLUDING PUBLIC RELATIONS AND ADVERTISING AGENTS

NAME AND ADDRESS, OCCUPATION OR BUSINESS, TERMS OF COMPENSATION

5. EXPENDITURES MADE OR INCURRED IN THE CAMPAIGN:

- 1. Previous expenditures (from line 4, last L-6 report)
2. Expenses this reporting period: A. Radio, B. Television, C. Newspapers, magazines, D. Brochures, signs, E. Printing and mailing, F. Consultants, public relations, G. Office expense, travel, salaries, H. Contributions, I. Entertainment, J. Other expenses
3. Total expenditures this period (lines 2a-2j)
4. Total expenditures in the campaign (lines 1 + 3)

FORM 390-20-125 (REV. 6-90) PDC-3

CONTINUE ON REVERSE

6. CONTRIBUTIONS:

LIST EACH PERSON OR ORGANIZATION WHO HAS CONTRIBUTED \$25 OR MORE DURING THIS REPORT PERIOD

NAME	ADDRESS, CITY, ZIP	AMOUNT

LIST TOTAL AMOUNT FROM ANY ATTACHED PAGES.....

TOTAL AMOUNT RECEIVED IN CONTRIBUTIONS LESS THAN \$25 WHERE CONTRIBUTOR'S NAME IS NOT LISTED.....

TOTAL CONTRIBUTIONS THIS PERIOD.....

CONTRIBUTIONS PREVIOUSLY REPORTED.....

TOTAL CONTRIBUTIONS DURING THE CAMPAIGN.....

CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE INFORMATION CONTAINED IN THIS REPORT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE..

NAME AND TITLE (Type or Print)	SIGNATURE	DATE
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INSTRUCTIONS

WHO SHOULD FILE THIS FORM: Any person making grass roots lobbying expenditures not reported by a registered lobbyist, a candidate, or a political committee exceeding \$1,000 in the aggregate in any three month period or exceeding \$500 in the aggregate in any one month in presenting a program addressed to the public, a substantial portion of which is intended, designed, or calculated primarily to influence state legislation.

FILING DEADLINE: Within 30 days after becoming a sponsor of a grass roots lobbying campaign. Thereafter, sponsors file monthly reports on the 10th of the month covering the preceding calendar month. Termination notice is to accompany the final monthly report.

SEND REPORT TO: PUBLIC DISCLOSURE COMMISSION
403 Evergreen Plaza Bldg., FJ-42
Olympia, WA 98504

QUESTIONS: CALL (206) 753-1111

PDC FORM L-6 (REV 6/90) -E-1078-

[Statutory Authority: RCW 42.17.370. 90-16-083, § 390-20-125, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-125, filed 11/26/85; Order 62, § 390-20-125, filed 8/26/75.]

WAC 390-20-130 Forms for statement of employment of legislators, state officers, and state employees. The official form for statement of employment of legislators, state officers, and state employees as required by RCW 42.17.210 is designated "L-7." Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8-1/2" x 11" white paper.



**STATEMENT OF EMPLOYMENT
OF LEGISLATORS & STATE EMPLOYEES**
TO THE STATE OF WASHINGTON
PUBLIC DISCLOSURE COMMISSION
CHAP. 1, LAWS OF 1973

FILING FORM L-7	TO BE FILED BY: EMPLOYERS OF LEGISLATORS, STATE OFFICERS OR STATE EMPLOYEES (Sec. 21)
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THIS SPACE FOR OFFICE USE

P.M. DATE	DATE RECVD.	ITEM NUMBER
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See completion instructions at bottom of page.
(Type or print clearly)

EMPLOYERS NAME AND BUSINESS ADDRESS	DATE PREPARED	THIS FORM <input type="checkbox"/> REPLACES <input type="checkbox"/> AMENDS PREVIOUS FILING PREPARED: (Mo.) (Day) (Yr.)
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ITEM 1	NAME OF PERSON BEING EMPLOYED
--------	-------------------------------

ITEM 2	NATURE OF EMPLOYMENT BY REPORTING EMPLOYER
--------	--

ITEM 3	AMOUNT AND NATURE OF PAY OR CONSIDERATION
--------	---

ITEM 4	NATURE OF STATE OFFICE OR EMPLOYMENT
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<p align="center">INSTRUCTIONS</p> <p>WHO SHOULD FILE THIS FORM: Any person registered or required to be registered as a lobbyist under this act or any employer of any person registered or required to be registered as a lobbyist under this act, who employs a member of the legislature, an employee of the legislature, a member of a state board or commission, or a full time state employee, if that employee remains partially employed by the state.</p> <p>FILING DEADLINE: Within 15 days after commencement of employment.</p> <p>FORM TO BE SUBMITTED TO: Registration and Reporting Section, Public Disclosure Commission, Office of Secretary of State - Olympia, Washington 98504</p> <p align="center"><i>Section 21 of this Law is printed in full below.</i></p>	<p>SUBSCRIBED AND SWORN BEFORE ME THIS</p> <p>_____ DAY OF _____ 19 _____</p> <p>NOTARY PUBLIC, IN AND FOR THE STATE OF WASHINGTON RESIDING IN: _____</p> <p>CERTIFICATION: I hereby certify under oath, that the above is a true, complete and correct statement in accordance with Sec. 21 of this Law.</p> <p>SIGNATURE _____</p> <table border="1"> <tr> <td>TITLE _____</td> <td>DATE _____</td> </tr> </table>	TITLE _____	DATE _____
TITLE _____	DATE _____		

EXCERPTS FROM PUBLIC DISCLOSURE LAW

Section 21. EMPLOYMENT OF LEGISLATORS, ATTACHES, OR STATE EMPLOYEES; STATEMENT, CONTENTS AND FILING. If any person registered or required to be registered as a lobbyist under this act employs, or if any employer of any person registered or required to be registered as a lobbyist under this act, employs any member of the legislature, or any member of any state board or commission, or any employee of the legislature, or fulltime state employee, if such new employee shall remain in the partial employ of the State or any agency thereof, then the new employer shall file a statement under oath with the commission setting out the nature of the employment, the name of the person to be paid thereunder, and the amount of pay or consideration to be paid thereunder. The statement shall be filed within fifteen days after the commencement of such employment.

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-130, filed 11/26/85; Order 62, § 390-20-130, filed 8/26/75.]

WAC 390-20-140 Loss of RCW 42.17.160 exemptions. (1) For the purpose of determining compliance with RCW 42.17.220, a lobbyist's employer shall be responsible for the applicability of all of the exemptions provided in RCW 42.17.160 to any lobbyist the employer employs, pays, or agrees to pay.

(2) The commission recognizes that a lobbyist who initially intends in good faith to utilize the "casual lobbying" exemption from registration and reporting which is provided in RCW 42.17.160(4) may thereafter become ineligible for that exemption, thus violating RCW 42.17.150 and/or 42.17.170 by not having registered and/or reported within the prescribed time periods.

(3) The commission shall not commence enforcement proceedings against a lobbyist or his or her employer in circumstances described in subsection (2) of this section if the lobbyist:

(a) Registers pursuant to RCW 42.17.150 before doing any lobbying in excess of the exemption limitations in RCW 42.17.160(4); and

(b) Files a report on Form L-2 when next due under RCW 42.17.170, which report includes all reportable information for the lobbying activities cumulatively causing the exemption limitations to be reached.

(4) The duty under RCW 42.17.230(1) of a person required to register as a lobbyist to obtain and preserve all records necessary to substantiate required financial reports shall include such records of all activities which cumulatively cause the RCW 42.17.160(4) exemption limitations to be reached and exceeded.

(5) A lobbyist whose only compensation or other consideration for lobbying is payment of or reimbursement for expenditures not required to be reported per RCW 42.17.170 (2)(a)(i-iv), does not qualify for exemption from registration and reporting per RCW 42.17.160(3).

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-140, filed 11/26/85; 82-14-016 (Order 82-04), § 390-20-140, filed 6/28/82. Statutory Authority: RCW 42.17.160(4) and 42.17.370(1), 78-07-038 (Order 99), § 390-20-140, filed 6/26/78.]

WAC 390-20-141 Registration and reporting required when a lobbyist employs another lobbyist. (1) If a registered lobbyist employs another lobbyist to perform lobbying activities in excess of the exemptions specified in RCW 42.17.150(2) or 42.17.160 then such registered lobbyist is also an employer of a registered lobbyist.

(2) Any person who becomes an employer of a registered lobbyist under such circumstances must (a) confirm such employment on the employee's L-1 registration statement; (b) in a written instrument filed with such employee's L-1 registration statement identify which clients the employee is authorized to represent; (c) file an annual L-3 report as an employer of a registered lobbyist; and (d) continue to file monthly L-2 reports as a registered lobbyist.

[Statutory Authority: RCW 42.17.370(1), 86-14-056 (Order 86-05), § 390-20-141, filed 6/27/86.]

WAC 390-20-143 Application of lobbying provisions to organizations. (1) A lobbyist other than a natural person

(1992 Ed.)

shall be deemed to have properly restricted its lobbying activities and is eligible for the RCW 42.17.160(4) "casual lobbying" exemption during any three-month period in which its agents or employees do not make an expenditure of more than twenty-five dollars for or on behalf of legislators, state elected officials, public officers or employees of the state of Washington.

(2) A lobbyist other than a natural person which does sponsor or coordinate or directly make unreported expenditures exceeding twenty-five dollars during a three-month period, as fully described in subsection (1), must register and report as required by RCW 42.17.150 and 42.17.170: *Provided*, That it can satisfy these requirements by having an individual agent (a) register and reports as a lobbyist, and (b) include as part of Form L-2 a report of these and all other lobbying expenditures made on behalf of the nonnatural person during that three-month period.

(3) An entity, including but not limited to a law firm, consulting firm, advertising agency, or other similar organization, which receives or expects to receive compensation for lobbying from any person, must register and report as a lobbyist pursuant to RCW 42.17.150 and 42.17.170: *Provided*, That membership dues or contributions to a nonprofit organization made for the purpose of promoting a general interest and not in return for lobbying on behalf of any specific member or contributor shall not be regarded as compensation for this purpose. Registration statements and reports shall list as the lobbyists both the firm or organization and each individual acting on its behalf. The person paying the compensation shall report under RCW 42.17.180 as a lobbyist's employer.

[Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-20-143, filed 11/26/85. Statutory Authority: RCW 42.17.160(4) and 42.17.370(1), 78-07-038 (Order 99), § 390-20-143, filed 6/26/78.]

WAC 390-20-144 Registration and reporting by lobbyist organizations. (1) Any firm, company, association or similar organization required to register as a lobbyist shall file one registration statement (PDC Form L-1) for each employer for whom the organization will lobby.

(a) The lobbying organization will attach to the registration statement a photo and the biographical information required by RCW 42.17.155 (page 3 of the L-1 Form) for each individual agent of the organization who is authorized to lobby for that particular employer.

(b) If the agent is authorized to lobby for several employers, only one photo and biographical sheet need be submitted.

(c) The organization will notify the commission in writing when there is any change in the employment or assignment of agents who lobby.

(2) One monthly expenditure report (PDC Form L-2) shall be submitted showing all expenditures made by the organization and its agents. It is unnecessary to prorate or attribute expenditures to individual agents of the organization. However, expenditures for entertainment exceeding \$25 per occasion shall identify the individual agent(s) who were present at the occasion. The L-2 report shall be signed by the president or chief executive officer of the lobbying organization.

(3) If any individual agent of the organization ceases to lobby or the organization terminates that agent's authority to lobby, the organization shall notify PDC in writing or by notation on the L-2 report of the termination.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-144, filed 11/26/85; 81-18-043 (Order 81-03), § 390-20-144, filed 8/28/81; 81-03-001 (Order 80-08), § 390-20-144, filed 1/8/81.]

WAC 390-20-145 Reporting of lobbying events. (1)

A meeting or other gathering of individuals for which lobbying is a purpose or reasonably foreseeable result shall be reportable by or on behalf of the sponsoring person in accordance with WAC 390-20-143 and other applicable provisions of law: *Provided*, That the executive director is authorized to state in writing how all reportable information relative to a particular gathering shall be reported on Form L-2 whenever the application of the appropriate provisions of law is unclear to the reporting person, and this interpretation shall be reviewed and approved, modified or rejected by the commission at its next regular or special meeting.

(2) Any other lobbyist reporting such a gathering may incorporate by reference in his Form L-2 a Form L-2 which is filed on the sponsor's behalf and which reports the gathering in accordance with applicable provisions of law, including WAC 390-20-143(2) and subsection (1) of this rule.

[Statutory Authority: RCW 42.17.370(1). 85-24-020 (Order 85-05), § 390-20-145, filed 11/26/85. Statutory Authority: RCW 42.17.160(4) and 42.17.370(1). 78-07-038 (Order 99), § 390-20-145, filed 6/26/78.]

Chapter 390-24 WAC

FORMS FOR REPORTS OF FINANCIAL AFFAIRS

WAC

390-24-010	Forms for statement of financial affairs.
390-24-020	Forms for amending statement of financial affairs.
390-24-025	Time for filing statement of financial affairs.
390-24-030	Forms for reports of public office fund.
390-24-031	Public office fund—Establishment and use.
390-24-032	Definition—Nonreimbursed public office related expense.
390-24-100	Definition—Direct financial interest.
390-24-105	Definition—Written sworn statement.
390-24-110	Definition—Debt.
390-24-160	Definition—Professional staff member.
390-24-200	Descriptions of real property.
390-24-202	Report of compensation from sales commissions.
390-24-205	Report of legislation prepared, promoted or opposed.
390-24-210	Report of officers and directors of financial institutions.

**DISPOSITION OF SECTIONS FORMERLY
CODIFIED IN THIS CHAPTER**

390-24-300	Form for report by public treasurers. [Order 77, § 390-24-300, filed 6/2/76.] Repealed by 84-05-018 (Order 84-01), filed 2/10/84. Statutory Authority: RCW 42.17.370(1).
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WAC 390-24-010 Forms for statement of financial affairs. The official form for statements of financial affairs as required by RCW 42.17.240 is designated "F-1," revised 10/91. Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington[,] 98504. Any attachments must be on 8-1/2" x 11" white paper.



PUBLIC DISCLOSURE COMMISSION

711 CAPITOL WAY RM 403 FJ42
PO BOX 40908
OLYMPIA WA 98504-0908
(206) 753-1111

PDC FORM
F-1
(10/91)

PERSONAL FINANCIAL AFFAIRS STATEMENT

P
M
A
R
K

R
E
C
E
I
V
E
D

PDC OFFICE USE

Refer to instruction manual for detailed assistance and examples.

Deadlines: Incumbent elected and appointed officials—by April 15.
Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

SEND REPORT TO PUBLIC DISCLOSURE COMMISSION.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Mailing Address				
City	County	Zip + 4		

Filing Status (Check only one box.)	Office Held or Sought
<input type="checkbox"/> An elected or state appointed official filing annual report	Office title _____
<input type="checkbox"/> Final report as an elected official. Term expired _____	County, city, district or agency of the office, name and number: _____
<input type="checkbox"/> Candidate running in an election: month _____ year _____	Position number _____
<input type="checkbox"/> Newly appointed to an elective office	Term begins: _____ ends: _____
<input type="checkbox"/> Newly appointed to a state appointive office	

1 INCOME: List each employer, or other source of income (Pension, social security, legal judgment) from which you or a family member received \$1,000 or more during the period. (Report interest and dividends in Item 3 on reverse)

Name and Address of Employer or Source of Compensation	Occupation or How Compensation Was Earned	Amount: (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet		

2 REAL ESTATE: List street address, assessor's parcel number, or legal description AND county for each parcel of Washington real estate with value of over \$5,000 in which you or a family member held a personal financial interest during the reporting period. (Show partnership, company, etc. real estate on F-1 supplement.)

Property Sold or Interest Divested	Assessed Value (Use Code)	Name and Address of Purchaser	Nature and Amount (Use Code) of Payment or Consideration Received	
Property Purchased or Interest Acquired		Creditor's Name/Address	Payment Terms	Security Given
				Mortgage Amount—(Use Code) Original Current
All Other Property Entirely or Partially Owned				
Check here <input type="checkbox"/> if continued on attached sheet				

3 ASSETS / INVESTMENTS—INTEREST / DIVIDENDS:		List bank and savings accounts, insurance policies, stock, bonds and other intangible property held during the reporting period.	
<p>A. Name and address of each bank or financial institution in which you or a family member had an account over \$10,000 any time during the report period.</p> <p>B. Name and address of each insurance company where you or a family member had a policy with a cash or loan value over \$10,000 during the period.</p> <p>C. Name and address of each company, association, government agency, etc. in which you or a family member owned or had a financial interest worth over \$1,000. Include stocks, bonds, ownership, retirement plan, IRA, notes, and other intangible property.</p>	Type of Account or Description of Asset	Asset Value (Use Code)	Income Amount: (Use Code)
<p>Check here <input type="checkbox"/> if continued on attached sheet</p>			

4 CREDITORS:			List each creditor you or a family member owed \$1,000 or more any time during the period. Don't include retail charge accounts, credit cards, or mortgages or real estate reported in item 2.		AMOUNT (USE CODE)	
Creditor's Name and Address			Terms of Payment	Security Given	Original	Present
<p>Check here <input type="checkbox"/> if continued on attached sheet</p>						

5 All filers answer questions A thru D below. If the answer is YES to any of these questions, the F-1 Supplement must also be completed as part of this report. If all answers are NO and you are a non-incumbent candidate or a state executive officer filing your initial report after appointment, no F-1 Supplement is required.

Incumbent elected officials and state executive officers filing annual financial affairs report also answer question E. An F-1 Supplement is required of these officeholders unless all answers to questions A thru E are NO.

- A. Were you, your spouse or dependents an officer, director, general partner or trustee of any corporation, company, union, association, joint venture or other entity at any time during the reporting period? _____ If yes, complete supplement, Part A.
- B. Did you, your spouse or dependents have an ownership of 10% or more in any company, corporation, partnership, joint venture or other business at any time during the reporting period? _____ If yes, complete supplement, Part A.
- C. Did you, your spouse or dependents own your own business at any time during the reporting period? _____ If yes, complete supplement, Part A.
- D. Did you, your spouse or dependents prepare, promote or oppose state legislation, rules, rates or standards for current or deferred compensation (other than pay for your currently-held public office) at any time during the reporting period? _____ If yes, complete supplement, Part B.
- E. (Incumbent officeholders only.) Did you, your spouse or dependents receive during the previous calendar year any gift valued at over \$50 that may have been intended to gain or maintain influence with you or the governmental entity you serve? (See F-1 manual for definition of "gift.") _____ If yes, complete Part C.

<table border="1"> <thead> <tr> <th>Dollar Code</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>\$1 to \$1,999</td> </tr> <tr> <td>B</td> <td>\$2,000 to \$9,999</td> </tr> <tr> <td>C</td> <td>\$10,000 to \$19,999</td> </tr> <tr> <td>D</td> <td>\$20,000 to \$49,999</td> </tr> <tr> <td>E</td> <td>\$50,000 or more</td> </tr> </tbody> </table>	Dollar Code	Amount	A	\$1 to \$1,999	B	\$2,000 to \$9,999	C	\$10,000 to \$19,999	D	\$20,000 to \$49,999	E	\$50,000 or more	<p>HAVE YOU ??? ?</p> <p>Answered each item?</p> <p>Put your name on each attached page?</p> <p>Kept a copy for your records?</p>	<p>Certification: I hereby certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.</p> <p>Signature _____ Date _____</p> <p>Daytime Telephone () _____</p>
Dollar Code	Amount													
A	\$1 to \$1,999													
B	\$2,000 to \$9,999													
C	\$10,000 to \$19,999													
D	\$20,000 to \$49,999													
E	\$50,000 or more													



PDC FORM F-1 SUPPLEMENT (10/91) SUPPLEMENT PAGE PERSONAL FINANCIAL AFFAIRS STATEMENT

PROVIDE INFORMATION FOR YOURSELF, SPOUSE, DEPENDENT CHILDREN AND OTHER DEPENDENTS IN YOUR HOUSEHOLD

LAST NAME FIRST MIDDLE INITIAL DATE

A OFFICES HELD, BUSINESS INTERESTS: For each corporation, non-profit organization, association, union, partnership, joint venture or other entity in which you, your spouse or dependents are an officer, director, general partner, trustee, or 10 percent or more owner—provide the following information:

- Legal Name: Report name used on legal documents establishing the entity.
• Trade or Operating Name: Report name used for business purposes if different from the legal name.
• Position or Percent of Ownership: The office, title and/or percent of ownership held.
• Brief Description of the Business/Organization: Report the purpose, product(s), and/or the service(s) rendered.
• Payments from Governmental Unit: If the governmental unit in which you hold or seek office made payments to the business entity concerning which you're reporting, show the purpose of each payment and the actual amount received.
• Payments from Business Customers and Other Government Agencies: List each corporation, partnership, joint venture, sole proprietorship, union, association, business or other commercial entity and each government agency (other than the one you seek/hold office) which paid compensation of \$5,000 or more during the period to the entity. Briefly say what property, goods, services or other consideration was given or performed for the compensation.
• Washington Real Estate: Identify real estate owned by the business entity if the qualifications referenced below are met.

ENTITY NO. 1 Reporting for: Self Spouse Dependent

LEGAL NAME: POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name: Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here if continued on attached sheet

ENTITY NO. 2

Reporting for: Self _____ Spouse _____ Dependent _____

LEGAL NAME:

POSITION OR PERCENT OF OWNERSHIP

TRADE OR OPERATING NAME:

ADDRESS:

BRIEF DESCRIPTION OF THE BUSINESS/ORGANIZATION:

PAYMENTS ENTITY RECEIVED FROM GOVERNMENTAL UNIT IN WHICH YOU SEEK/HOLD OFFICE:

Purpose of payments

Amount (actual dollars)

PAYMENTS ENTITY RECEIVED FROM BUSINESS CUSTOMERS AND OTHER GOVERNMENT AGENCIES OVER \$5,000:

Customer name:

Purpose of payment (amount not required)

WASHINGTON REAL ESTATE IN WHICH ENTITY HELD A DIRECT FINANCIAL INTEREST (Complete only if ownership in the ENTITY is 10% or more and assessed value of property is over \$10,000. List street address, assessor parcel number, or legal description and county for each parcel):

Check here if continued on attached sheet

B LOBBYING: List persons for whom you or any immediate family member lobbied or prepared state legislation or state rules, rates or standards for current or deferred compensation. Do not list pay from government body in which you are an elected official or professional staff member.

Person to Whom Services Rendered	Description of Legislation, Rules, Etc.	Compensation (Use Code)
Check here <input type="checkbox"/> if continued on attached sheet		

C GIFTS: List the date, source, brief description, and value of each gift of entertainment, travel, goods, services economic advantage, etc. valued at more than \$50 (entertainment at receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received	Donor's Name, City and State	Brief Description	Approx. Dollar Value
Check here <input type="checkbox"/> if continued on attached sheet			

[Statutory Authority: RCW 42.17.370. 91-24-011, § 390-24-010, filed 11/22/91, effective 12/23/91. Statutory Authority: RCW 42.17.370(1). 88-20-029 (Order 88-04), § 390-24-010, filed 9/29/88; 86-19-039 (Order 86-06), § 390-24-010, filed 9/12/86; 86-08-030 (Order 86-02), § 390-24-010, filed 3/26/86; 85-24-020 (Order 85-05), § 390-24-010, filed 11/26/85; 84-01-017 (Order 83-03), § 390-24-010, filed 12/9/83; 80-18-028 (Order 80-07), § 390-24-010, filed 12/1/80; 80-02-055 (Order 80-01), § 390-24-010, filed 1/17/80; Order 94, § 390-24-010, filed 10/31/77; Order 87, § 390-24-010, filed 11/19/76; Order 62, § 390-24-010, filed 8/26/75; Order 48, § 390-24-010, filed 3/3/75; Order 44, § 390-24-010, filed 9/26/74; Order 6, § 390-24-010, filed 3/23/73.]

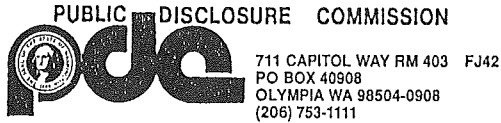
Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-24-020 Forms for amending statement of financial affairs. (1) The official form for amending statements of financial affairs as required by RCW 42.17.240 for all persons who have previously filed the Form F-1 is designated Form "F-1A," revised 10/91.

(2) No more than three F-1A forms may be filed to amend a previously submitted statement of financial affairs (Form F-1). The form can be used only to update information required on an F-1.

(3) The commission reserves the right to reject amendatory forms and require a new statement of financial affairs (Form F-1) at any time the amendments are confusing or create misunderstandings. Authority is delegated to the commission's executive director to make this determination.

(4) Copies of Form F-1A are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments must be on 8 1/2" x 11" white paper.



PDC FORM
F-1A
(10/91)
PERSONAL FINANCIAL AFFAIRS STATEMENT Short Form

PDC OFFICE USE
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The F-1A form is designed to simplify reporting for persons who have no changes or only minor changes to an F-1 report previously filed.
A complete F-1 form must be filed at least every four years; an F-1A form may be used for no more than three consecutive reports.
Deadlines: Incumbent elected and appointed officials—by April 15.
Candidates and others—within two weeks of becoming a candidate or being newly appointed to a position.

DOLLAR CODE	AMOUNT
A	\$1 to \$1,999
B	\$2,000 to \$9,999
C	\$10,000 to \$19,999
D	\$20,000 to \$49,999
E	\$50,000 or more

Last Name	First	Middle Initial	Names of Spouse and Dependents	Political Party If partisan office or pertinent to appointment
Mailing Address				
City	County	Zip + 4		

Filing Status (Check only one box.)	Office Held or Sought
<input type="checkbox"/> An elected or state appointed official filing annual report	Office title _____
<input type="checkbox"/> Final report as an elected official. Term expired _____	County, city, district or agency of the office, name and number: _____
<input type="checkbox"/> Candidate running in an election: month _____ year _____	Position number _____
<input type="checkbox"/> Newly appointed to an elective office	Term begins: _____ ends: _____
<input type="checkbox"/> Newly appointed to a state appointive office	

Select either "No Change Report" or "Minor Change Report," whichever reflects your situation. Supply all the requested information.

NO CHANGE REPORT. I have reviewed my last complete F-1 report dated _____ and F-1A reports (if any) dated (1) _____ and (2) _____. The information disclosed on those reports is accurate for the current reporting period.

MINOR CHANGE REPORT. I have reviewed my last complete F-1 report dated _____. The changes listed below have occurred during the reporting period. Specify F-1 Form Item numbers when describing changes. Provide all information required on F-1 report.

GIFTS: (This information required of incumbent elected and appointed officials only.) List the date, source, brief description and value of each gift of entertainment, travel, goods, services, economic advantage, etc. valued at more than \$50 (entertainment receptions where pro-rata share exceeds \$100). Exclude gifts that, without doubt, were clearly not intended to gain or maintain influence with respect to your governmental entity (e.g., most intra-family and private sector business related gifts). See Gift section of F-1 manual for details.

Date Received	Donor's Name, City and State	Brief Description	Approx. Dollar Value

Check here if continued on attached sheet.

CERTIFICATION: I certify under penalty of perjury that the information contained in this report is true and correct to the best of my knowledge.

Signature _____ Date _____

Daytime Telephone: () _____

Report Not Acceptable Without Filer's Signature

[Statutory Authority: RCW 42.17.370. 91-24-011, § 390-24-020, filed 11/22/91, effective 12/23/91. Statutory Authority: RCW 42.17.370(1). 86-19-039 (Order 86-06), § 390-24-020, filed 9/12/86; 86-08-030 (Order 86-02), § 390-24-020, filed 3/26/86; 84-01-017 (Order 83-03), § 390-24-020, filed 12/9/83; 79-11-124 (Order 79-07), § 390-24-020, filed 11/6/79; Order 94, § 390-24-020, filed 10/31/77; Order 87, § 390-24-020, filed 11/19/76; Order 62, § 390-24-020, filed 8/26/75; Order 48, § 390-24-020, filed 3/3/75.]

WAC 390-24-025 Time for filing statement of financial affairs. It shall be the policy of the public disclosure commission to construe the filing requirements of RCW 42.17.240 for elected officials in the following manner: It is the interpretation of the commission that:

(1) Any person holding elected public office, except as exempted by the terms of RCW 42.17.240, and any appointed official and professional staff member listed or referenced in RCW 42.17.240, and any appointed official required to comply with the reporting requirements of RCW 42.17.240 by any other statute is required to file the statement of financial affairs if such person holds such public office between January 1 and April 15 of any year. Such report shall be for the preceding calendar year.

(2) Any local elected official whose term of office expires immediately after December 31 shall file a statement of financial affairs for the calendar year which ended on that date.

(3) Any local elected official who resigns his public office prior to the completion of his current term of office shall file a statement of financial affairs covering that portion of the year that he was in office.

[Statutory Authority: RCW 42.17.370(1). 86-19-039 (Order 86-06), § 390-24-025, filed 9/12/86; 86-08-030 (Order 86-02), § 390-24-025, filed 3/26/86; 84-01-017 (Order 83-03), § 390-24-025, filed 12/9/83; 80-03-089 (Order 80-03), § 390-24-025, filed 3/4/80; Order 62, § 390-24-025, filed 8/26/75.]

WAC 390-24-030 Forms for reports of public office fund. The official form for reports of public office fund as required by RCW 42.17.243 is designated "F-2." Copies of this form are available at the Commission Office, Room 403, Evergreen Plaza Building, Olympia, Washington 98504. Any attachments shall be on 8 1/2" x 11" white paper.



PDC FORM F-2 <small>(1/81)</small>	PUBLIC OFFICE FUND REPORT
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THIS SPACE FOR OFFICE USE	
P.M. DATE	DATE RECEIVED

PLEASE TYPE OR PRINT CLEARLY

Last Name	First Name	MI	Office You Hold	Period covered by report
Address				<input type="checkbox"/> Jan 1 to Dec 31, 19
City	County	Zip		<input type="checkbox"/> Other / Show Dates
				To _____

CONTRIBUTIONS RECEIVED (CASH AND CHECKS)

Date	Contributor's Name and Address	Amount
<input type="checkbox"/> Check here if continued on attached page		TOTAL (Including Attached Pages)

**OTHER CONTRIBUTIONS RECEIVED
(INCLUDE TRAVEL AND OTHER IN-KIND GOODS AND SERVICES)**

Date	Contributor's Name and Address. If Value is unknown include description of contribution	Value
<input type="checkbox"/> Check here if continued on attached page		TOTAL (Including Attached Pages)

CONTINUE ON REVERSE

EXPENDITURES MADE

Date	Person to Whom Payment Made	Address	Nature of Expenditure	Amount
Check here <input type="checkbox"/> if continued on attached pages				TOTAL (Including Attached Pages)
<p>CERTIFICATION: I certify that this report is a true and complete account of contributions received and expenditures made to defray non-reimbursed public office expenses as provided in RCW 42.17.243.</p>			Signature	Date

[Statutory Authority: RCW 42.17.370(1), 86-08-030 (Order 86-02), § 390-24-030, filed 3/26/86; 80-18-028 (Order 80-07), § 390-24-030, filed 12/1/80.]

WAC 390-24-031 Public office fund—Establishment and use. (1) Public office fund, as that term is used in RCW 42.17.243, means any fund, created by or for the

benefit of any elected or appointed official required to report under RCW 42.17.240, which (a) was created for the primary purpose of defraying nonreimbursed office-related expenses for that official and members of his/her immediate family; and (b) expenditures made from the fund are primarily controlled by the official for whom the fund was created.

(2) Any contribution or expenditure from any other source for the benefit of an official or member of his/her immediate family for the primary purpose of defraying nonreimbursed office-related expenses is a contribution to that official's public office fund and shall be reported as a contribution to and/or expenditure from the official's public office fund. Any in-kind contribution shall be valued at its fair market value.

(3) If a fund, not created pursuant to RCW 42.17.243, is used both for the purposes of defraying nonreimbursed office-related expenses of an official and making other expenditures for the benefit of staff or employees of the official or agency, only the expenditures made to defray nonreimbursed office-related expenses of an official and members of his/her immediate family shall be deemed expenditures from a public office fund and shall be reported as an expenditure from the official's public office fund.

[Statutory Authority: RCW 42.17.370. 91-10-057, § 390-24-031, filed 4/29/91, effective 5/30/91.]

WAC 390-24-032 Definition—Nonreimbursed public office related expense. A "nonreimbursed public office related expense" is an expenditure incurred by an elected or appointed official, or a member of his or her immediate family, solely because of being an official.

[Statutory Authority: RCW 42.17.370(1). 86-21-106 (Order 86-07), § 390-24-032, filed 10/20/86.]

WAC 390-24-100 Definition—Direct financial interest. For the purpose of RCW 42.17.241 (1)(b), the phrase "direct financial interest" means and includes any direct ownership interest in a bank or savings account, in the cash surrender value of an insurance policy, in stocks, bonds, securities, evidences of indebtedness, judgments, accounts receivable, and other monetary claims in liquidated amounts.

The term "direct financial interest" as used in that subsection, shall not be deemed to include:

(1) Any direct financial interest which is required to be reported by such elected official or candidate under any other provision of chapter 42.17 RCW;

(2) An account receivable by a business entity in the ordinary course of such entity's business.

[Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-24-100, filed 3/26/86; Order 62, § 390-24-100, filed 8/26/75.]

WAC 390-24-105 Definition—Written sworn statement. The term written, sworn statement for the purposes of RCW 42.17.240(6) shall mean a statement prepared by the elected official or candidate written and sworn to as to truth and accuracy to his best and actual knowledge or belief, of the candidate or elected official.

[Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-24-105, filed 3/26/86; Order 62, § 390-24-105, filed 8/26/75.]

WAC 390-24-110 Definition—Debt. (1) For the purpose of RCW 42.17.241 (1)(c), the term "debt" means and includes a personal obligation or liability to pay or return something of value.

(2) The term "debt" as used in RCW 42.17.241 (1)(c) shall not be deemed to include an account payable of a

business entity in the ordinary course of such entity's business.

[Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-24-110, filed 3/26/86; Order 62, § 390-24-110, filed 8/26/75.]

WAC 390-24-160 Definition—Professional staff member. (1) A professional staff member of the office of the governor and of the legislature includes all individuals retained on a full or part-time basis whose primary responsibilities require the exercise of judgment and discretion in policy related matters, including, but not limited to, such individuals who are involved in the development of legislation. A professional staff member does not include individuals retained primarily for clerical, ministerial, or internal accounting and bookkeeping purposes.

(2) To insure that the provisions of Referendum 36 and this rule are properly and fairly administered and to provide guidance to affected individuals, the commission, through its chairman and executive director, shall confer annually in December with the governor, the secretary of the senate and the clerk of the house regarding the specific professional staff members believed to fall within the criteria set forth in subsection (1) of this section. The executive director shall submit a report of those conferences to the commission at its December meeting for approval, disapproval or modification, or other determination. Each determination shall be based on an annual review of the positions and personnel to be retained by the affected governmental bodies during the ensuing year and shall constitute the commission's administrative interpretation of the term "professional staff member" in RCW 42.17.240 (2) and (3) and its application to such positions and personnel.

[Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-24-160, filed 3/26/86; Order 88, § 390-24-160, filed 12/29/76.]

WAC 390-24-200 Descriptions of real property. (1) For the purposes of reporting real property as required by RCW 42.17.241 [(1)] (h)-(k), the filer shall list the street address of each parcel, if there is one. If there is no address, other sufficient descriptions of the property would be (a) the assessor's parcel number, (b) the abbreviated legal description appearing on property tax statements, or (c) the complete legal description.

(2) Each property description shall be followed by the name of the county in which the property is located.

[Statutory Authority: RCW 42.17.370(1). 88-20-029 (Order 88-04), § 390-24-200, filed 9/29/88; 86-08-030 (Order 86-02), § 390-24-200, filed 3/26/86; Order 63, § 390-24-200, filed 9/10/75.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 390-24-202 Report of compensation from sales commissions. When a person receives compensation in the form of a commission on sales, the reporting of the compensation, required in RCW 42.17.241, shall include:

(1) The name and address of the person or persons through whom a commission was paid;

(2) For purposes of RCW 42.17.241 (1)(f), the name and address of each person (other than an individual) for

whom a service was rendered or to whom a product was sold that resulted in a commission of \$1,000 or more in the aggregate;

(3) For purposes of RCW 42.17.241 (1)(g)(i), the name and address of each governmental unit for whom a service was rendered or to whom a product was sold that resulted in a commission;

(4) For purposes of RCW 42.17.241 (1)(g)(ii), the name and address of each person (other than an individual) for whom a service was rendered or to whom a product was sold that resulted in a commission of \$5,000 or more in the aggregate.

[Statutory Authority: RCW 42.17.370. 92-08-105, § 390-24-202, filed 4/1/92, effective 5/2/92.]

WAC 390-24-205 Report of legislation prepared, promoted or opposed. (1) Pursuant to RCW 42.17.241 (1)(e), an official must provide in each report required by that subsection:

(a) The name of each governmental entity of which the official is an officer or employee,

(b) A statement of each subject area on which the reporting official has prepared, promoted or opposed any legislation, rule, rate or standard for such entity,

(c) The compensation received or promised for said service and,

(d) All other persons for whom such services have been performed for current or deferred compensation, together with an itemization of such actual or proposed legislation, rules, rates and standards, and the amount of compensation paid or promised for the service.

(2) A person need not report the information described in subsection (1)(a), (b), and (c) of this section as to any entity of which such person is an elected official.

[Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-24-205, filed 3/26/86; Order 90, § 390-24-205, filed 1/20/77.]

WAC 390-24-210 Report of officers and directors of financial institutions. An elected official or candidate who is an officer or director of a financial institution may comply in part with RCW 42.17.241 (1)(g)(ii) by incorporating by reference a list of the financial institution's officers and directors if such a list has been filed with the commission by the financial institution in the current year.

[Statutory Authority: RCW 42.17.370(1). 86-08-030 (Order 86-02), § 390-24-210, filed 3/26/86; Order 77, § 390-24-210, filed 6/2/76.]

Chapter 390-28 WAC

HARDSHIP EXEMPTIONS—HEARING EXAMINER SYSTEM

WAC

390-28-020	Definition—Applicant.
390-28-025	Hearing to modify reporting requirements.
390-28-040	Hearing to modify reporting—Prehearing procedure and requirements.
390-28-060	Hearing to modify reporting—Administrative law judge proceedings.
390-28-070	Hearing to modify reporting—By affidavit or sworn statement.
390-28-080	Hearing to modify reporting—Evidence, record, adverse decisions.

(1992 Ed.)

390-28-090	Hearing to modify reporting—Required findings.
390-28-100	Reporting modifications—Possible qualifications.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-28-010	Statement of policy. [Order 62, § 390-28-010, filed 8/26/75; Order 24, § 390-28-010, filed 2/21/74.] Repealed by 85-22-029 (Order 85-04), filed 10/31/85. Statutory Authority: RCW 42.17.370(1).
390-28-021	Definition—Hearing officer. [Order 62, § 390-28-021, filed 8/26/75.] Repealed by 85-22-029 (Order 85-04), filed 10/31/85. Statutory Authority: RCW 42.17.370(1).
390-28-030	Hearing to modify reporting—Form—Right to by applicants. [Order 62, § 390-28-030, filed 8/26/75; Order 24, § 390-28-030, filed 2/21/74.] Repealed by 85-22-029 (Order 85-04), filed 10/31/85. Statutory Authority: RCW 42.17.370(1).
390-28-050	Hearing to modify reporting—Alternate forms. [Statutory Authority: RCW 42.17.370(1). 85-22-029 (Order 85-04), § 390-28-050, filed 10/31/85; Order 62, § 390-28-050, filed 8/26/75; Order 24, § 390-28-050, filed 2/21/74.] Repealed by 91-21-030, filed 10/9/91, effective 11/9/91. Statutory Authority: RCW 42.17.370.

WAC 390-28-020 Definition—Applicant. The term applicant for the purposes of chapter 390-28 WAC shall mean any person as defined in RCW 42.17.020(21) that seeks a modification pursuant to RCW 42.17.370(10) and these rules.

[Statutory Authority: RCW 42.17.370. 91-22-083, § 390-28-020, filed 11/5/91, effective 12/6/91. Statutory Authority: RCW 42.17.370(1). 85-22-029 (Order 85-04), § 390-28-020, filed 10/31/85; Order 62, § 390-28-020, filed 8/26/75; Order 24, § 390-28-020, filed 2/21/74.]

WAC 390-28-025 Hearing to modify reporting requirements. (1) Any person who considers compliance with any of the reporting requirements of chapter 42.17 RCW to be a manifestly unreasonable hardship in a particular case may apply for a modification of such reporting requirements pursuant to RCW 42.17.370(10) and further pursuant to these rules.

(2) A hearing to modify the reporting requirements shall be conducted pursuant to the Administrative Procedure Act (chapter 34.05 RCW) and its supporting regulations (chapter 10-08 WAC) shall be followed unless otherwise modified by chapter 390-28 WAC.

[Statutory Authority: RCW 42.17.370. 92-05-080, § 390-28-025, filed 2/18/92, effective 3/20/92; 91-22-083, § 390-28-025, filed 11/5/91, effective 12/6/91. Statutory Authority: RCW 42.17.370(1). 85-22-029 (Order 85-04), § 390-28-025, filed 10/31/85; Order 62, § 390-28-025, filed 8/26/75; Order 24, § 390-28-025, filed 2/21/74.]

WAC 390-28-040 Hearing to modify reporting—Prehearing procedure and requirements. (1) An applicant must file with the commission a written request for hearing for suspension or modification of reporting requirements. The request should be submitted by the tenth day of the month preceding the month in which the report is due so that action on the request can be completed before the filing deadline.

(2) The request should contain (a) the required report completed to the extent possible, (b) the applicant's evidence to be submitted at the hearing, (c) a statement of reasons why the reporting of required information would cause a manifestly unreasonable hardship, with as much detail as

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possible. (A general statement, such as "violates right of privacy" shall not be deemed as sufficient compliance with this requirement.) The applicant is encouraged to also include a proposed modification to the required reporting which, in the applicant's opinion, will relieve the perceived hardship.

(3) The filing of a request for modification shall not suspend the reporting requirement of any portion of chapter 42.17 RCW.

[Statutory Authority: RCW 42.17.370, 91-22-083, § 390-28-040, filed 11/5/91, effective 12/6/91. Statutory Authority: RCW 42.17.370(1), 85-24-020 (Order 85-05), § 390-28-040, filed 11/26/85; 80-03-089 (Order 80-03), § 390-28-040, filed 3/4/80; Order 62, § 390-28-040, filed 8/26/75; Order 24, § 390-28-040, filed 2/21/74.]

WAC 390-28-060 Hearing to modify reporting—Administrative law judge proceedings. (1) The commission may request through the office of administrative hearings the appointment of an administrative law judge to hear individual applicants.

(2) After such hearing is concluded, the administrative law judge shall prepare and distribute to the applicant and each commissioner a proposed decision determining the issue. The applicant shall have five days to file with the commission specific objections to the administrative law judge's proposed decision and to request an opportunity to present additional evidence to the commission. When written objections are timely filed, the commission, at the time of review and ratification, shall consider the whole record or such portions as may be cited by the administrative law judge, applicant or executive director. The commission may also hear additional testimony.

(3) If the applicant files objections to the administrative law judge's proposed decision, the filing requirement from which the applicant has sought modification shall not be suspended unless the commission, upon notice of the filing of objections, determines that a temporary suspension is justifiable pursuant to the criteria set out in RCW 42.17.370(10). Such suspension of filing requirements shall be granted only until the decision is finalized by formal action of the commission.

(4) At the next meeting at which the matter can be lawfully considered, the commission shall review and either ratify or modify or revise the proposed order.

[Statutory Authority: RCW 42.17.370, 91-22-083, § 390-28-060, filed 11/5/91, effective 12/6/91. Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-28-060, filed 10/31/85; Order 67, § 390-28-060, filed 1/16/76; Order 62, § 390-28-060, filed 8/26/75; Order 24, § 390-28-060, filed 2/21/74.]

WAC 390-28-070 Hearing to modify reporting—By affidavit or sworn statement. (1) An applicant may choose to waive a personal appearance at a hearing conducted pursuant to chapter 390-28 WAC. In the event that an applicant chooses to waive such appearance, that person shall submit a written, sworn statement setting out in detail the rationale for requesting modification or suspension.

(2) The commission, or the administrative law judge, shall proceed to decide the application in the same manner as if an appearance were made: *Provided*, That in the event the commission or the administrative law judge is not able to reach a conclusion on the request because of an insuffi-

ciency of the evidence, it may adjourn the hearing for the purposes of gathering further evidence, or it may deny the application.

[Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-28-070, filed 10/31/85; Order 64, § 390-28-070, filed 11/25/75; Order 62, § 390-28-070, filed 8/26/75; Order 24, § 390-28-070, filed 2/21/74. Formerly WAC 390-28-080.]

WAC 390-28-080 Hearing to modify reporting—Evidence, record, adverse decisions. (1) All evidence presented at hearings of the commission held pursuant to chapter 390-28 WAC and RCW 42.17.370(10) shall be considered to be a public record: *Provided*, That the commission may close the hearing and hold an executive session if it finds that it is necessary to allow the applicant to provide sufficient evidence to assure that proper findings are made. All evidence presented at any portion of a hearing held in executive session identifying the matters for which the applicant requests modification under these rules shall be considered and held confidential by the commission unless otherwise ordered by a court of competent jurisdiction. In the event that an administrative law judge determines that testimony in private may be necessary, the judge shall immediately adjourn the hearing and refer the matter to the commission.

(2) Any decision or order adverse to an applicant rendered by the commission or administrative law judge shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law.

[Statutory Authority: RCW 42.17.370, 91-22-083, § 390-28-080, filed 11/5/91, effective 12/6/91. Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-28-080, filed 10/31/85; Order 62, § 390-28-080, filed 8/26/75; Order 24, § 390-28-080, filed 2/21/74. Formerly WAC 390-28-070.]

WAC 390-28-090 Hearing to modify reporting—Required findings. The commission, after hearing as provided in these rules, may suspend the applicable reporting requirement of chapter 42.17 RCW if it finds that the literal application of such requirement works a manifestly unreasonable hardship in the case under consideration and if it also finds that such suspension or modification will not frustrate the purposes of the act. The commission shall suspend or modify such reporting requirement or requirements only to the extent necessary to substantially relieve such hardship, and only upon clear and convincing proof to support such claim.

[Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-28-090, filed 10/31/85; Order 62, § 390-28-090, filed 8/26/75; Order 24, § 390-28-090, filed 2/21/74.]

WAC 390-28-100 Reporting modifications—Possible qualifications. The following, or any of them, may be considered possible qualifications for a reporting modification:

(a) Reporting any financial interest, otherwise required to be reported by RCW 42.17.241 (1)(b) of said act, if the financial institution or other entity in which the candidate or official having such interest does not engage in business in the state of Washington, or is not regulated in whole or in part by the office sought or held by such candidate or elected official, and provided that such reporting would

present actual difficulties to the candidate or official and the interest in question would present no actual or potential conflict with the proper performance of the duties of the office sought or held, in the public interest.

(b) Reporting any of the information required by RCW 42.17.241 (1)(f) and (g), if public disclosure would violate any legally recognizable confidential relationship: Provided, The information in question does not relate to a business entity which would be subject to the regulatory authority of the office sought or held by such candidate or elected official in whole or in part: And provided further, That such reporting would present actual difficulties to the candidate or official and the interest in question would present no actual or potential conflict with the performance of the duties of the office sought or held, in the public interest.

(c) Reporting any of the information required by RCW 42.17.241 for members of the immediate family of a candidate or elected official, if such information relates to a financial interest held by such member under a bona fide separate property agreement, or other bona fide separate status and such financial interest does not constitute a present or prospective source of income to such candidate or elected official or to any other person who is dependent upon such candidate or elected official for support in whole or in part.

(d) Reporting any other matter which would constitute an unreasonable hardship in a given case, when the matter reported would not indicate any actual or potential conflict with the proper performance of the duties of the office sought or held in the public interest.

[Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-28-100, filed 10/31/85; 80-02-106 (Order 80-02), § 390-28-100, filed 1/24/80; Order 64, § 390-28-100, filed 11/25/75; Order 62, § 390-28-100, filed 8/26/75; Order 24, § 390-28-100, filed 2/21/74.]

Chapter 390-32 WAC

FAIR CAMPAIGN PRACTICES CODE

WAC

390-32-010	Fair Campaign Practices Code for candidates and political committees.
390-32-020	Filing—Fair Campaign Practices Code.
390-32-030	Complaints—Fair Campaign Practices Code.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-32-040	Fair Campaign Practices Code for state-wide ballot issues. [Order 92, § 390-32-040, filed 7/22/77.] Repealed by 85-22-029 (Order 85-04), filed 10/31/85. Statutory Authority: RCW 42.17.370(1).
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WAC 390-32-010 Fair Campaign Practices Code for candidates and political committees. Pursuant to the provisions of RCW 42.17.370 (1) and (6) the public disclosure commission adopts this Fair Campaign Practices Code:

(1) I shall conduct my campaign, and to the extent reasonably possible shall insist that my supporters conduct themselves, in a manner consistent with the best American tradition, discussing the issues and presenting my record and policies with sincerity and candor.

(2) I shall uphold the right of every qualified voter to free and equal participation in the election process.

(3) I shall not participate in, and I shall condemn, personal vilification, defamation, and other attacks on any opposing candidate or party which I do not believe to be truthful, provable, and relevant to my campaign.

(4) I shall not use or authorize, and I shall condemn material relating to my campaign which falsifies, misrepresents, or distorts the facts, including but not limited to malicious or unfounded accusations creating or exploiting doubts as to the morality, patriotism or motivations of any party or candidate.

(5) I shall not appeal to, and I shall condemn appeals to, prejudices based on race, creed, sex or national origin.

(6) I shall not practice, and I shall condemn practices, which tend to corrupt or undermine the system of free election or which hamper or prevent the free expression of the will of the voters.

(7) I shall promptly and publicly repudiate the support of any individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent(s) to methods in violation of the letter or spirit of this code.

(8) I shall refrain from any misuse of the Public Disclosure Law, chapter 42.17 RCW to gain political advantage for myself or any other candidate.

[Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-32-010, filed 10/31/85; Order 93, § 390-32-010, filed 8/26/77; Order 64, § 390-32-010, filed 11/25/75; Order 62, § 390-32-010, filed 8/26/75; Order 50, § 390-32-010, filed 3/3/75.]

WAC 390-32-020 Filing—Fair Campaign Practices Code. (1) A copy of the code provided in WAC 390-32-010 shall be printed in appropriate campaign reporting instructions made available to candidates and political committees.

(2) Failure to subscribe to the code shall not constitute a violation of chapter 42.17 RCW.

[Statutory Authority: RCW 42.17.370, 92-18-002, § 390-32-020, filed 8/20/92, effective 9/20/92. Statutory Authority: RCW 42.17.370(1), 86-08-030 (Order 86-02), § 390-32-020, filed 3/26/86; 85-22-029 (Order 85-04), § 390-32-020, filed 10/31/85; Order 93, § 390-32-020, filed 8/26/77; Order 91, § 390-32-020, filed 7/22/77; Order 62, § 390-32-020, filed 8/26/75; Order 59, § 390-32-020, filed 7/16/75; Order 52, § 390-32-020, filed 4/17/75.]

WAC 390-32-030 Complaints—Fair Campaign Practices Code. (1) Written and signed complaints alleging a violation of one or more specific provisions of the Fair Campaign Practices Code for candidates and political committees (WAC 390-32-010) may be submitted to the public disclosure commission by any person.

(2) Upon receipt of a complaint, the executive director shall forward a copy of the complaint to the complainee within 24 hours, accompanied by a request for a response to the complaint returned within 5 days from the date of mailing.

(3) Upon receipt of the complainee's response, the executive director shall forward a copy to the complainant. A copy of the complaint and the response shall be sent to news media. The complaint and the response shall be available at the commission office for public inspection and copying. If the complainee does not respond within 5 days, the complaint shall be made public without a response.

(4) The commission will make no attempt to secure a reply to and will make no public release of complaints received within 8 days of an election.

(5) The commission will not issue comments or opinions about complaints or responses.

(6) In the absence of any contrary intention as expressed by the complainant, the filing of a complaint with the commission constitutes implied consent to have the complainant's identity disclosed.

[Statutory Authority: RCW 42.17.370(1), 85-22-029 (Order 85-04), § 390-32-030, filed 10/31/85; Order 93, § 390-32-030, filed 8/26/77; Order 91, § 390-32-030, filed 7/22/77.]

Chapter 390-37 WAC

ENFORCEMENT PROCEDURES—INVESTIGATIVE HEARINGS

WAC

390-37-010	Enforcement procedures—Policy.
390-37-020	Enforcement procedures—Initiation of complaint.
390-37-030	Enforcement procedures—Status of citizen complainant and others.
390-37-040	Enforcement procedures—Procedures for filing citizen complaints.
390-37-050	Enforcement procedures—Respondent's notice of complaint.
390-37-060	Enforcement procedures—Investigation of complaints—Initiation of hearing.
390-37-063	Enforcement procedures—Demand for information—Subpoenas.
390-37-070	Enforcement procedures—Complaints dismissible by executive director.
390-37-090	Informal settlement—Cases resolvable by stipulation.
390-37-100	Enforcement procedures—Conduct of hearings.
390-37-105	Prehearing conference—Rule.
390-37-120	Enforcement hearings—Subpoenas—Discovery—Hearings.
390-37-130	Enforcement hearings—Depositions and interrogatories—Right to take.
390-37-132	Enforcement hearings—Depositions and interrogatories—Notice.
390-37-134	Depositions and interrogatories in enforcement hearings—Protection of parties and deponents.
390-37-136	Production of documents and use at hearing.
390-37-140	Brief enforcement hearings—Authority.
390-37-142	Brief enforcement hearing—Procedure.
390-37-144	Brief enforcement hearing—Administrative review procedures.
390-37-150	Reconsideration and review of decisions.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

390-37-080	Enforcement procedures—Prehearing conference. [Order 81, § 390-37-080, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-200	Investigative hearings—Commission policy. [Order 81, § 390-37-200, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-205	Investigative hearings—Respondent's notice to appear. [Order 81, § 390-37-205, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-210	Hearings—Subpoenas. [Statutory Authority: RCW 42.17.370, 90-16-083, § 390-37-210, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-210, filed 2/5/86; 85-15-020 (Order 85-03), § 390-37-210, filed 7/9/85; 84-12-017 (Order 84-03), § 390-37-210, filed

5/25/84; Order 81, § 390-37-210, filed 7/22/76.] Repealed by 91-16-072, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370.

390-37-215	Investigative hearings—Conducted by commission or hearing officer. [Order 81, § 390-37-215, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-220	Investigative hearings—Procedures. [Order 81, § 390-37-220, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-225	Investigative hearings—Disposition of case by hearing officer. [Order 81, § 390-37-225, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-230	Investigative hearings—Disposition of case by commission. [Order 81, § 390-37-230, filed 7/22/76.] Repealed by 84-12-017 (Order 84-03), filed 5/25/84. Statutory Authority: RCW 42.17.370(1).
390-37-300	Late filings—Civil penalties. [Statutory Authority: RCW 42.17.370(1), 82-02-007 (Order 81-04), § 390-37-300, filed 12/28/81; Order 84, § 390-37-300, filed 8/18/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-37-305	Late filings—Administrator review. [Statutory Authority: RCW 42.17.370(1), 82-02-007 (Order 81-04), § 390-37-305, filed 12/28/81; Order 84, § 390-37-305, filed 8/18/76 and 8/20/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-37-310	Late filings—Waiver of penalty. [Order 84, § 390-37-310, filed 8/18/76] Repealed by 82-02-007 (Order 81-04), filed 12/28/81. Statutory Authority: RCW 42.17.370(1).
390-37-312	Late filings—Criteria for waiver; procedures for disposition. [Statutory Authority: RCW 42.17.370(1), 82-02-007 (Order 81-04), § 390-37-312, filed 12/28/81.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).
390-37-315	Late filings—Petition for waiver—Disposition by commission. [Order 84, § 390-37-315, filed 8/18/76] Repealed by 82-02-007 (Order 81-04), filed 12/28/81. Statutory Authority: RCW 42.17.370(1).
390-37-320	Late filings—Waiver petition—Judicial review and enforcement. [Statutory Authority: RCW 42.17.370(1), 82-02-007 (Order 81-04), § 390-37-320, filed 12/28/81; Order 84, § 390-37-320, filed 8/18/76.] Repealed by 82-14-016 (Order 82-04), filed 6/28/82. Statutory Authority: RCW 42.17.370(1).

WAC 390-37-010 Enforcement procedures—Policy. The commission recognizes the need for published uniform rules setting forth commission policies and procedures for cases in which violations or apparent violations of chapter 42.17 RCW are brought to its attention. The policy of the commission shall be to facilitate the resolution of compliance matters in a fair and expeditious manner.

[Order 79, § 390-37-010, filed 6/25/76.]

WAC 390-37-020 Enforcement procedures—Initiation of complaint. (1) A complaint alleging a violation of chapter 42.17 RCW may be brought to the attention of the commission staff by:

- (a) A member of the public;
- (b) The commission staff;
- (c) A commission member, who shall then be disqualified from participating in the decision of an enforcement hearing that may arise from the complaint; or
- (d) Referral from the office of the attorney general or any other law enforcement agency.

(2) The person or entity against whom a complaint is filed shall be known as the respondent.

[Statutory Authority: RCW 42.17.370(1), 84-12-017 (Order 84-03), § 390-37-020, filed 5/25/84; Order 79, § 390-37-020, filed 6/25/76.]

WAC 390-37-030 Enforcement procedures—Status of citizen complainant and others. (1) When a citizen complaint has been filed with the commission, neither the complainant nor any other person shall have special standing to participate or intervene in the investigation or consideration of the complaint by the commission. However, the staff shall give notice to the complainant of any open commission hearings on the matter and the complainant may be called as a witness in any enforcement hearing or investigative proceeding.

(2) The complainant or any other person may submit documentary evidence and/or written factual or legal statements to the commission at any time. The complainant or any other person wishing to be heard in a compliance matter may request permission in advance of a public hearing on the matter or at such hearing, and the commission may grant such person a reasonable opportunity to be heard.

(3) A person not satisfied with the dismissal of a complaint by the commission or its executive director when no violation is found, may pursue an appropriate remedy under RCW 42.17.400(4).

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-030, filed 2/5/86; 84-12-017 (Order 84-03), § 390-37-030, filed 5/25/84; Order 79, § 390-37-030, filed 6/25/76.]

WAC 390-37-040 Enforcement procedures—Procedures for filing citizen complaints. (1) A complaint filed with the commission, relating to an elected official or a candidate for elective office, shall be in writing and signed by the complainant under oath.

(2) A complaint filed with the commission, other than a complaint specified in subsection (1) of this section, may be made informally.

(3) A complaint filed under the provisions of either subsection (1) or (2) of this section should include:

(a) A statement of the nature of the alleged violation or violations, date, time and place of each occurrence and name of person or persons responsible; and

(b) All available documentation and other evidence which the complainant is able to supply to demonstrate a reason for believing that a violation of chapter 42.17 RCW has occurred.

[Statutory Authority: RCW 42.17.370(1), 84-12-017 (Order 84-03), § 390-37-040, filed 5/25/84; Order 79, § 390-37-040, filed 6/25/76.]

WAC 390-37-050 Enforcement procedures—Respondent's notice of complaint. Within ten days of receipt by the commission of a complaint which on its face appears to have merit, the commission shall notify the respondent that a complaint has been filed. The notice shall set forth the nature of the complaint and its origin (citizen complaint, commission or other) and the statutory provision alleged to have been violated.

[Statutory Authority: RCW 42.17.370(1), 79-08-046 (Order 79-03), § 390-37-050, filed 7/19/79; Order 81, § 390-37-050, filed 7/22/76.]

WAC 390-37-060 Enforcement procedures—Investigation of complaints—Initiation of hearing. (1)

The executive director shall initiate an enforcement hearing whenever an investigation reveals facts which the executive director has reason to believe are a material violation of chapter 42.17 RCW and do not constitute substantial compliance.

(2) The respondent shall be notified of the date of the hearing no later than ten days before that date pursuant to WAC 10-08-040.

(3) It is the policy of the commission during the course of any investigation that all records generated or collected as a result of that investigation are exempt from public inspection and copying under RCW 42.17.310 (1)(d). If a request is made for any such record which implicates the privacy of an individual, written notice of the records request will be provided to the individual in order that such individual may request a protective order from a court under RCW 42.17.330.

[Statutory Authority: RCW 42.17.370, 91-16-072, § 390-37-060, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-060, filed 2/5/86; 84-12-017 and 84-12-029 (Orders 84-03 and 84-03A), § 390-37-060, filed 5/25/84 and 5/29/84; Order 81, § 390-37-060, filed 7/22/76.]

WAC 390-37-063 Enforcement procedures—Demand for information—Subpoenas. (1) During the course of an audit or an investigation, the executive director may issue a "demand for information" directed to any person who probably possesses information which is relevant and material to the audit or the investigation. The "demand for information" shall

(a) Specifically describe the information which is sought, and

(b) Set forth a reasonable time and place for the production of the information, and

(c) Notify the person that if the information is not produced, the executive director will present a request to the commission, at its next regular or special meeting, to issue a subpoena for the information pursuant to RCW 42.17.370(5).

The "demand for information" may be personally delivered or sent by certified mail, return receipt requested.

(2) The commission may issue a subpoena under RCW 42.17.370(5) to compel persons to appear and give testimony and may require the production of any books, papers, correspondence, memorandums or other documents which the commission deems relevant and material.

(3) Whenever the commission will consider the issuance of a subpoena, the executive director will place the matter on the published agenda for that meeting and, in addition, give the respondent, if any, and the person to whom the subpoena would be directed, at least five days written notice of the time and place where the meeting will be held.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-063, filed 2/5/86; 82-02-007 (Order 81-04), § 390-37-063, filed 12/28/81.]

WAC 390-37-070 Enforcement procedures—Complaints dismissible by executive director. The executive director, with the concurrence of the chairman, at any time prior to consideration by the commission, may dismiss a complaint which on its face, or as shown by

investigation, does not show reason to believe that a material violation of chapter 42.17 RCW has occurred.

[Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-070, filed 2/5/86; 84-12-017 (Order 84-03), § 390-37-070, filed 5/25/84; Order 81, § 390-37-070, filed 7/22/76.]

WAC 390-37-090 Informal settlement—Cases resolvable by stipulation. (1) RCW 34.05.060 authorizes agencies to establish by rule specific procedures for attempting and executing informal settlement of matters. The following procedures are available for informal dispute resolution that may make more elaborate proceedings under the Administrative Procedure Act unnecessary.

(a) Any person whose interest in a matter before the commission may be resolved by settlement shall communicate his or her request to the executive director, setting forth all pertinent facts and the desired remedy. If the executive director requires additional information to resolve the matter informally, the executive director shall promptly provide to the person seeking relief an opportunity to supply such information. Settlement negotiations shall be informal and without prejudice to rights of a participant in the negotiations.

(b) When the executive director and respondent agree that some or all of the facts are uncontested, a stipulation of fact shall be prepared for the presentation to the commission.

(c) In the event an early, informal resolution or stipulation of facts is reached, the executive director is responsible for providing a written description of the recommended resolution or stipulation to the person(s) involved.

(2)(a) If settlement of an enforcement hearing (adjudicative proceeding) may be accomplished by informal negotiation, negotiations shall be commenced at the earliest possible time. Settlement shall be concluded by:

- (i) Stipulation of facts of the parties; or
- (ii) Stipulation of the parties; or
- (iii) Withdrawal of the application for an enforcement hearing by the applicant; or
- (iv) Withdrawal by the executive director of the action which is the subject matter of the enforcement hearing.

(b) Any proposed stipulation shall be in writing and signed by each party to the stipulation or his or her representative. The stipulation shall be recited on the record at the hearing. The commission has the option of accepting, rejecting, or modifying the proposed stipulation or asking for additional facts to be presented. If the commission accepts the stipulation or modifies the stipulation with the agreement of the opposing party, the commission shall enter an order in conformity with the terms of the stipulation. If the commission rejects the stipulation or the opposing party does not agree to the commission's proposed modifications to the stipulation, then a hearing shall be held. If the commission requests additional facts be presented, the matter shall be referred to the executive director for further investigation.

[Statutory Authority: RCW 42.17.370, 91-16-072, § 390-37-090, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-090, filed 2/5/86; 84-12-017 (Order 84-03), § 390-37-090, filed 5/25/84; Order 81, § 390-37-090, filed 7/22/76.]

WAC 390-37-100 Enforcement procedures—Conduct of hearings. (1) An enforcement hearing (adjudicative proceeding) shall be conducted pursuant to the

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Administrative Procedure Act (chapter 34.05 RCW) and its supporting regulations (chapter 10-08 WAC), shall be followed unless otherwise modified by chapter 390-37 WAC.

(2) An enforcement hearing shall be heard either by the commission or under RCW 34.12.040 or 34.12.050(2), by a duly designated administrative law judge.

(3) Upon the conclusion of an enforcement hearing heard by an administrative law judge, the judge shall prepare and present to the commission findings of fact, conclusions of law, and a proposed decision determinative of the matter. A copy of the findings of fact, conclusions of law and the proposed decision shall be served upon the executive director and the respondent. Both the respondent and the executive director shall be afforded an opportunity to file exceptions and written argument with the commission. The commission shall review the proposed decision at its next regular meeting or at a special meeting called for that purpose. The commission shall consider the whole record or such portions as shall be cited by the parties. Oral argument may be heard at the discretion of the commission.

(4) After either a hearing by the commission or review by the commission of the proposed decision of an administrative law judge the commission may find that:

(a) Respondent did not violate the act, as alleged, and dismiss the case; or

(b) Respondent violated chapter 42.17 RCW, as alleged, and determine the sanction, if any, to be imposed; or

(c) Respondent is in apparent violation of chapter 42.17 RCW, its own remedy is inadequate and enter its order referring the matter to the appropriate law enforcement agency as provided in RCW 42.17.360.

(5) Upon the conclusion of a hearing, the commission

(a) Shall set forth in writing its findings of fact, conclusions of law and decision on the merits of the case; and

(b) Shall deliver, either in person or by mail, to each respondent or the respondent's representative a copy of the findings of fact, conclusions of law and decision.

(6) When the commission finds an apparent violation and refers the matter to an enforcement agency, the commission shall give to the respondent written notice of such finding and order of referral.

[Statutory Authority: RCW 42.17.370, 91-16-072, § 390-37-100, filed 8/2/91, effective 9/2/91; 90-16-083, § 390-37-100, filed 7/31/90, effective 8/31/90. Statutory Authority: RCW 42.17.370(1), 86-04-071 (Order 86-01), § 390-37-100, filed 2/5/86; 85-15-020 (Order 85-03), § 390-37-100, filed 7/9/85; 84-12-017 (Order 84-03), § 390-37-100, filed 5/25/84; Order 81, § 390-37-100, filed 7/22/76.]

WAC 390-37-105 Prehearing conference—Rule. (1)

In any proceeding, the chairman upon his/her own motion or upon request by one of the parties or their qualified representative, may direct the parties to appear at a specified time and place for a conference to consider:

- (a) Simplification of issues;
- (b) The necessity of amendments to the hearing notice;
- (c) The possibility of obtaining stipulations, admissions of facts and of documents;
- (d) Limitation on the number of witnesses; and
- (e) Procedural and such other matters as may aid in the disposition of the proceeding.

(2) Prehearing conferences may be presided over by the chairman or his/her designee.

(3) Prehearing conferences may be held by telephone conference call or at a time and place specified by the presiding officer.

(4) Following the prehearing conference, the presiding officer shall issue an order reciting the action taken and decisions made at the conference. If no objection to the order is filed with the presiding officer within seven days after the date the order is mailed, the order shall control the subsequent course of the proceeding unless modified for good cause by subsequent order.

(5) When the chairman or his/her designee presides over a prehearing conference, he or she is acting as a quasi-judicial body which relates to a quasi-judicial matter between named parties. Therefore, a prehearing conference is not subject to chapter 42.30 RCW, Open Public Meetings Act.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-105, filed 8/2/91, effective 9/2/91.]

WAC 390-37-120 Enforcement hearings—Subpoenas—Discovery—Hearings. (1) The commission or presiding officer may issue subpoenas for discovery, subpoenas to persons to appear and give testimony, and may require the production of any books, papers, correspondence, memorandums, or other records deemed relevant or material and the commission or presiding officer may issue protective orders as a part of an enforcement hearing. The agency or its legal representative may issue subpoenas as may the attorney of the party against whom action is being taken. All subpoenas must be filed with the commission, together with proof of proper service, at least five days prior to the date of the hearing for which they are issued. Such subpoenas will issue and may be enforced in the form and manner set forth in RCW 34.05.446 and WAC 10-08-120.

(2) The commission, upon motion or before the time specified in the subpoena for compliance therewith, may:

(a) Quash or modify the subpoena if it is unreasonable and oppressive; or

(b) Condition denial of the motion upon the advancement by the person in whose behalf the subpoena is issued of the reasonable cost of producing the books, papers, documents, or tangible things.

(3) The attendance of witnesses and such production of evidence may be required from any place within the state of Washington to any location where a hearing is being conducted.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-120, filed 8/2/91, effective 9/2/91.]

WAC 390-37-130 Enforcement hearings—Depositions and interrogatories—Right to take. Unless otherwise provided, any party may take the testimony of any person, including a party, by deposition upon oral examination or written interrogatories for use as evidence in the hearing. The deposition of a commissioner, the executive director, or assistant director, may only be taken upon application to the commission, for good cause shown, and only in those circumstances where the statements or depositions of other staff members would not reveal the information, evidence, or details needed by the party for the case. The attendance of witnesses to a deposition may be com-

elled by use of a subpoena. Depositions shall be taken only in accordance with this rule and the rules on subpoenas.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-130, filed 8/2/91, effective 9/2/91.]

WAC 390-37-132 Enforcement hearings—Depositions and interrogatories—Notice. A party desiring to take the deposition of any person upon oral examination shall give reasonable notice of not less than seven days in writing to the commission and all parties. The notice shall state the time and place for taking the deposition and the name and address of each person to be examined. On motion of a party to whom the notice is served, the commission or its hearing officer may, for cause shown, enlarge or shorten the time. If the parties so stipulate in writing, depositions may be taken at any time or place, upon any notice, and in any manner and when so taken may be used as other depositions.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-132, filed 8/2/91, effective 9/2/91.]

WAC 390-37-134 Depositions and interrogatories in enforcement hearings—Protection of parties and deponents. After notice is served for taking a deposition, upon its own motion or upon motion reasonably made by any party or by the person to be examined and upon notice and for good cause shown, the commission or its designated hearing officer may make an order that the deposition shall not be taken, or that it may be taken only at some designated place other than that stated in the notice, or that it may be taken only on written interrogatories, or that certain matters shall not be inquired into, or that the scope of the examination shall be limited to certain matters, or that the examination shall be held with no one present except the parties to the action and their officers or counsel, or the commission may make any other order which justice requires to protect the party or witness from annoyance, embarrassment, or oppression. At any time during the taking of the deposition, on motion of any party or the deponent, and upon a showing that the examination is being conducted in bad faith or in such manner as unreasonably to annoy, embarrass, or oppress the deponent or party, the commission or its designated hearing officer may order the officer conducting the examination to cease forthwith from taking the deposition or may limit the scope and manner of the taking of the deposition as above provided. If the order made terminates the examination, it shall be resumed only upon the order of the agency. Upon demand of the objecting party or deponent, the taking of the deposition shall be suspended for the time necessary to make a motion for an order.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-134, filed 8/2/91, effective 9/2/91.]

WAC 390-37-136 Production of documents and use at hearing. (1) Upon request by either the agency or its legal representative, or the party against whom the enforcement action is being taken or his/her representative, copies of all materials to be presented at the enforcement hearing shall be provided to the requester within seven days of the request but, for good cause shown, not less than three business days prior to the date of the hearing.

(2) When exhibits of a documentary character are to be offered into evidence at the hearing, the party offering the exhibit shall provide a minimum of seven copies, one for opposing party, one for each member of the commission, and one for the commission's legal advisor.

(3) If documentary evidence has not been exchanged prior to the hearing, the parties shall arrive at the hearing location in sufficient time before the time scheduled for the hearing for the purpose of exchanging copies of exhibits to be introduced.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-136, filed 8/2/91, effective 9/2/91.]

WAC 390-37-140 Brief enforcement hearings— Authority. (1) The commission may provide a brief enforcement hearing for violations of provisions in chapter 42.17 RCW which require the filing of reports when such violations are either a failure to file the required report or the late filing of a required report. A brief enforcement hearing is a brief adjudicative proceeding as set forth in RCW 34.05.482 through 34.05.494.

(2) This hearing shall be in accordance with RCW 34.05.482 through 34.05.494.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-140, filed 8/2/91, effective 9/2/91.]

WAC 390-37-142 Brief enforcement hearing— Procedure. (1) A brief enforcement hearing may be presided over by the chairman, or a member of the commission designated by the chairman.

(2) When a violation, as described in WAC 390-37-140, is alleged, before taking action, the executive director shall send the alleged violator notice, which shall include:

- (a) Alleged violation;
- (b) Proposed fine; and
- (c) Person's right to respond, within ten days, either in writing or in person to explain his/her view of the matter.

(3) At the time any unfavorable action is taken, the presiding officer shall serve upon each party a written statement describing the violation, the reasons for the decision, the penalty imposed, and their right to request review by the commission at the next scheduled commission meeting.

(4) The written decision of the presiding officer is an initial order. If no review is taken of the initial order, the initial order shall be the final order.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-142, filed 8/2/91, effective 9/2/91.]

WAC 390-37-144 Brief enforcement hearing— Administrative review procedures. (1) The commission shall conduct a review of the initial order upon the written or oral request of a party if the commission receives the request within twenty-one days after the service of the initial order.

(2) If the parties have not requested review, the commission may conduct a review of the initial order upon its own motion and without notice to the parties, but it may not take any action on review less favorable to any party than the original order without giving that party notice and an opportunity to explain that party's view of the matter.

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(3) The order on review shall be in writing stating the findings made, and the reasons for the decision, and notice that judicial review is available. The order on review shall be entered within twenty days after the date of the initial order or of the request for review, whichever is later.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-144, filed 8/2/91, effective 9/2/91.]

WAC 390-37-150 Reconsideration and review of decisions. (1) For purposes of this rule, "decision" means any findings, conclusions, order, or other action by the commission which is reviewable by a court.

(2) A decision may be reconsidered only upon (a) the written request of the person aggrieved thereby or (b) the motion or written request of a commissioner who voted on the prevailing side when that decision was made.

(3) Such a request for reconsideration shall be served at the office of the public disclosure commission, or motion made, no later than ten days after service of the decision of which reconsideration is sought.

(4) A request or motion for reconsideration shall specify the grounds therefor.

(5) Upon being served with a decision, the respondent may treat that decision as final for the purpose of petitioning for judicial review. The commission may not reconsider any decision after being served with a petition for judicial review.

(6) When a request for reconsideration is served, or motion made, enforcement of the decision of which reconsideration is sought shall be stayed and the decision shall not be final until the commission has acted on the reconsideration.

(7) The commission shall act on the reconsideration, at the next meeting at which it practicably may do so, by: (a) Deciding whether to reconsider its decision, and (b) if it decides to do so, either affirming or amending its decision: *Provided*, That before a decision may be amended other than by lowering a penalty, the respondent shall be given notice and an opportunity to be heard if, and in the same manner as, required for the original decision.

[Statutory Authority: RCW 42.17.370. 91-16-072, § 390-37-150, filed 8/2/91, effective 9/2/91. Statutory Authority: RCW 42.17.370(1). 79-08-046 (Order 79-03), § 390-37-150, filed 7/19/79.]